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TABLE OF CONTENTS

VOLUME 4, NO. 3

JULY, 1921

Courts and Law in Colonial Louisiana.....	255
Henry Plauché Dart	
Servinien's Case—1752.....	290
Edited by Henry Plauché Dart	
Records of the Superior Council of Louisiana.....	324
Cabildo Archives (Supplement to No. II and No. VII).....	361
Edited by Henry Plauché Dart	
Louisiana Confederate Military Records.....	369
A. B. Booth	

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COURTS AND LAW IN COLONIAL LOUISIANA

By Henry Plauché Dart
of the New Orleans Bar

Address at Annual Meeting, Louisiana Bar Association,
Shreveport, La., June 3, 1921.

(*Reprinted from Official Report.*)

The President: The next number on our program will be an address on the "History of the Louisiana Law," by the Honorable Henry P. Dart, one of the most distinguished lawyers of the New Orleans Bar as well as of the entire State of Louisiana.

Mr. Henry P. Dart: Mr. President, and Brethren of the Louisiana Bar Association, because there is no sex before the Bar.

I scarcely know how to begin to talk about the subject which has been cast upon me, while still hearing in my ears the announcement of my friend in the chair. I did not know that I had, even in my own borders, any such reputation.

I ought to say to you, gentlemen, that the program's title to the address which I am to deliver is, to some extent, a snare. To imagine that the speaker, or any other lawyer, old or young, could tell the history of the law of Louisiana, or, rather, of the law in Louisiana, within twenty, thirty or forty minutes, would be to believe that we have returned to the day of the marvel and the miracle. I shall ask the Secretary to give it another title after he hears me this morning.

I suspect the only reason my service was enlisted is that, for eighteen months, I have been working in a treasure house of French

and Spanish times down at the Cabildo in New Orleans. This treasure house holds the judicial records of the French Superior Council and the Spanish Cabildo; a collection of French and Spanish legal documents running from 1712 to 1803; a quaint mixture of old French legal phrases and current Colonial French; and a like mixture in Spanish form. Those whom I thought could read those documents soon stranded on the translation. It was clearly a task requiring skill and knowledge, not only in languages, but also in antiquarian knowledge of Louisiana. I saw enough, however, to realize that I had found the archives which would throw light on the origin and sources of Louisiana law and practice; that indeed I was at the threshold of our law. And with the missionary spirit strong upon me I began to try to arouse interest. At first it was but a cry in the wilderness; the brethren would stop and listen courteously, but alas, these are strenuous times, they would say, and we must get on. The newspapers thought they saw something in it that would increase their circulation, and the reporters handled the manuscripts, but they, too, turned away. They took some pictures and wrote some headlines, but who the devil, said the editor, knows anything about it? One of the scribes, indeed, wanted to know why these people wrote "in a foreign language anyway?" English is so easy.

And yet, there before me lay fifty thousand documents or more that told of the daily life of our ancestors; of their births and deaths, of their marriages and their children; their contracts and disputes, their purchases and sales, their wills and their estates. My unskilled eye picked out precedents that were appearing in the same forms in our practice today, and references to legal systems that we still refer to, but nevertheless, the door which had been opened to me seemed about to close again, as doubtless it had opened and closed on others who perchance had strayed upon these papers before me. One may have a spiritual and patriotic interest in ancient documents, but at my age he may not undertake this task alone, for the spiritual and the physical are necessary elements in a job of this character. Then literally out of a clear sky, came the relief. A philanthropist of New Orleans had seen one of the appeals, and with a gift in his hand he said to me, "I don't know what it all means, but here is something to begin the work with. Maybe," he said, "the people will follow it up if we begin it." It was a very perfect thing he did, for his gift enabled me to employ competent help, and for twelve months the good work has gone on.

These records have a history; there has been a legend in New Orleans that the papers locked up in certain black boxes, an hundred

or more, contained all the secret history of the wicked French and Spanish days; now and then some historian would get a glimpse at a box and was appalled at the confusion, and perhaps at the jargon, yet the legend prevailed and one news writer revived it when we opened up the boxes, and he warned all the descendants of Creole days who had a skeleton in their closets to be on the *qui vive*, for now it was about to be exposed, and one dear old soul visited us, fixed in the belief that she would be able to see it. "Please," she said, "please let me see the skeleton."

The local archives of ancient Louisiana were sealed in 1803 under the orders of Laussat, the French commissioner, and when Claiborne took charge he found under these seals the judicial records of the French and Spanish periods, and also the notarial records of the latter era. On the ground of public necessity he permitted access to these records, which he had caused to be placed in the custody of the Municipal Council of New Orleans and which later on were transferred to the care of Peter Pedesclaux, who was a notary in Spanish times and who was appointed to the same office by Claiborne. Under this appointment Pedesclaux may be considered the first custodian of notarial records in New Orleans, an office well established in our system. These papers of the preceding governments remained intact for many years, but unfortunately no list or index was made, though this had been ordered by the Legislative Council. The writings of Judge Martin and Mr. Gayarre show familiarity with these records, but those authors made very little use of the material, possibly because it did not fall within the scope of their literary work. Finally, in Gayarre's early years, the archives were removed to Baton Rouge, doubtless through his efforts, and they were placed in the custody of the Louisiana Historical Society, whose domicile was fixed in that place by the Legislature, which made the Society custodian of the archives.

When the capitol was burned by the Federal troops in 1862 the archives were injured by fire and water and the better part plundered and carried off by the invading soldiers. Years after the war a great quantity were located in Wisconsin; principally through Gayarre's efforts they were recovered and brought to New Orleans, where, after still other adventures and vicissitudes, they reached again the custody of the Historical Society, and what remains of the archives so sedulously preserved by Laussat are now in the Cabildo.

We are late at the feast, so to speak, and can only do our best now with what is left. Perhaps in time the minute books of the

Superior Council and of the Cabildo and valuable other lost material, may still be recovered; like strayed kittens such things have a canny habit of returning to their owners, and we expect much to happen when it is known that the State has recognized her duty and created a department of archives.

These records which we have are now, for the first time, being examined and put in order. An alphabetical and topical index has been started, and here and there translations are being made, chiefly to whet the appetite of the student and as an evidence of the value of our collection, which covers much information regarding the judicial, governmental and economical history of the Colony and Province of Louisiana. We have here enough to develop the course of life in all these departments during nearly one hundred years under French and Spanish rule.

But the gift which enabled us to start this work is insufficient to complete the task, even on the meagre lines here indicated, and clearly the preservation of these archives; the search for others; the accumulation in one place of material uncared for in the various departments of government; the establishment of a safe place or central location for the archives; the employment of caretakers; in short, the creation of a Department of Archives in Louisiana, are all matters for legislative action.

As lawyers, the shame falls on our profession if we neglect this vital thing, and I shall use the few moments allotted me on this program to establish, as I hope I can, the duty that is on us to take action to preserve not only our colonial archives, but also the vast accumulations of State and private papers which fall under that definition. If time spared I could rebuild before your eyes from these records at the Cabildo the machinery of government in French and Spanish Louisiana, and picture the procedure and practice in the courts and revive some of the decisions which created precedents that found their way later into our codes and jurisprudence, but this is not possible here and I shall content myself, instead, with glimpses at the contents, leaving your imagination to kindle the scene, the historical procession which would follow if these records were at public command.

I.

French Period

The history of this part of ancient Louisiana begins with La Salle's classic adventure on the Mississippi River in 1682, and our first legal document is a proces verbal prepared for him, at or near

the present site of New Orleans, in authentic form before Jacques de Metaire, a notary of Fort Frontenac, Canada, who accompanied La Salle as scribe, and for the purpose of executing and preserving in due and permanent shape, according to law, the evidence of the discovery and taking over of Louisiana for his master, the King of France. That document is just as modern in every way as any proces verbal of today, or as any other act of like nature to which we lawyers address ourselves. That document which we would still call a proces verbal is designated as a proces verbal in the archives of Paris, and it is also an authentic act, that is, one executed before a notary, signed by the parties making it and the witnesses and the notary.

The next step in our history was made, as everybody knows, with the little colony at Biloxi under Iberville. For the period from 1699 to 1712, thirteen years, this beginning of Louisiana was governed by a hierarchy. There was a lieutenant of the King at the head of military and naval affairs, and as such exercising the functions of governor; a commissioner, who was a civil officer, called the Commissaire Ordonnateur, who was at once auditor, treasurer, storekeeper and general manager, and there was a curé who ran the ecclesiastical side. That was the first government that we are taught about in Martin and Gayarre; there is nothing in our archives to indicate the presence of law courts, or a judicial department.

Civil government in its proper understanding began in Louisiana in 1712, with the Crozat grant given by Louis of France, who constituted Crozat the overlord, lessee or manager of the colony of Louisiana. That grant is interesting to us because in it we received the Custom of Paris as our fundamental law and the two things: the establishment of civil government and the enactment of a law for its guidance, fix the date at which the history of our legal institutions must always begin. From this point of view, the Custom of Paris is the cornerstone of the civil law of Louisiana. That custom was in 1712 a written law, a codification begun in the fifteenth century and completed in the sixteenth. The redaction of the Customs of France is a story too familiar to repeat in this presence, but a word must be said about this particular codified custom, whose influence still persists in our law. Prior to the period when the King concentrated the might of France under the regal power Paris was a duchy or county extending over a wide area of which the city was only a part. Its original law was tribal and these customs had in time been subjected to Roman influences and to the customs brought in by the Germanic irruption. These in turn had

been subjected to the regulations and necessities of a busy and teeming population divided into guilds or clans. In time the Custom of Paris, or law of Paris, came to be regarded as the rule or right of all those who were not controlled by ecclesiastical, military or feudal laws. The people, the common people, did not wholly escape these last-mentioned laws; indeed, the first sections of the Custom as redacted preserved a body of law concerning fiefs and feudal rights which fortunately did not gain foothold in Louisiana, principally because in 1719 the ground was swept from under them by the provision in the charter of the Company of the West authorizing the grant of land in Louisiana in *franc aleu*, allodially, and also because the adventurers who colonized under that grant escaped the possibility of a feudal creation of baronies and duchies which was contemplated in the large gifts or divisions of the new country which marked the beginning of that company, but which were sterilized, one might better say nullified, by the financial impoverishment resulting from the downfall of Law and the bursting of the Mississippi Bubble.

This Custom of Paris, as it was received and enforced in Louisiana, was a code divided into sixteen titles and containing three hundred articles. I have not time here to follow the particulars treated in it, but I must notice that in its third and fourth titles it treats of movables and immovables and the disturbances of real rights, in language and definitions that we find repeated in the *Code Napoleon* and in our own code. In title fifth you will find the germ of that part of our Code of Practice dealing with actions real, personal and hypothecary, and the rules regulating the joinder of issue and pleas in compensation and reconvention. The sixth title handles prescription, and here again the Civil Code of Louisiana recalls the student to these origins. The eighth title may be found scattered in many provisions of our codes; the pledge of the landlord on the goods of the lessee is only one of many easily recognized sources of our law. But I must move faster, noting only the fascination which you will find in the titles on servitudes, on community of acquets and gains, on dower, on tutorship, on donations *inter vivos*, on wills and testaments, on successions and on seizures and sales; and here in this last title we see the executory process in its first shape, so perfectly elaborated later in O'Reilly's Code. In truth, a book could and should be written by some of you comparing this Custom of Paris with our own codes; a work you should undertake to pay your debt to the profession; it will bring you no financial gain, but you would have splendidly paid that debt we all owe to our mother—the law.

In Paris, in 1712 and for a century before that date, the Custom was administered by a law court called the Presidial Seat and Court of the Chatelet, to which I will presently recur, so that when Louis XIV extended this Custom to us, the gift carried a law and a practice, a law and the judicial construction thereof extending over one and perhaps two centuries. The gift also carried freedom from the shackles of any other system: military, feudal and perhaps ecclesiastical, but of this last we cannot be sure until the archives of the Cathedral and of the Holy Church elsewhere can be consulted. However, our civil law was here contained in easily understood limits and save that then and thereafter the ordinances of the King were of equal force, we were free within this law, our law, the French law of Louisiana. But this in no wise minimizes the force and effect of those ordinances which hold, on the contrary, a high place at the sources of our law, as you will see in W. K. Dart's *Louisiana Judicial System*, 1 La. Digest, page 13.

With the grant of the Custom of Paris there was created for its administration the first law court in Louisiana, called the Superior Council. It was established for three years, made up of a lawyer who was the First Councillor or Presiding Judge, and an Attorney (or Procureur) General, who was at once the lawyer of the people and the legal adviser of the government. The remaining members of the Superior Council were laymen. This court was granted jurisdiction over all Louisiana, and in 1716 it was made a permanent establishment. Upon the passing of the Crozat regime in 1717 the Company of the West became masters of the colony. The Superior Council was reorganized in 1719, and thenceforward Louisiana had at all times this court administered by a lawyer acting as its First Councillor or Presiding Judge, assisted by the Procureur General, who represented both the people and the government. This court followed, in pleading and practice, the forms prevailing before the court of the Chatelet in Paris; doubtless they were installed here under the supervision of the first Attorney General of whom we have any record, who was *Sieur Chartier de Baune*. He was appointed in 1719 with the statement in the ordinance covering the Superior Council that he had been a Councillor of the Presidial Seat and of the court of the Chatelet of Paris, and it was probably because of this experience that he was sent to Louisiana to install in our court the Custom of Paris, and to set our legal machinery in motion.

I have seen a contemporary commentary on the Custom of Paris with special reference to the practice and jurisdiction of the court of the Chatelet. This was one of the oldest law courts in France; it

was served by many judges, called Councillors, and it survived until the French Revolution. In the light of this commentary, and the pleadings found in these old records, I am convinced we took our pleading system of that period from the forms then in use in the court of the Chatelet in Paris, which in turn followed the Code Louis or Ordinance of 1667 on Civil Procedure; those pleadings themselves being then and thereafter the most simple statements of the matters in issue. Having been devised for the common people of France they were never confused with the forms of pleading prevalent in other jurisdictions. In brief, these old records, gentlemen, would seem to establish the proposition that during the entire French period the Custom of Paris was our sole law, never departed from, save where ordinances of the kings qualified or overrode it. The sole legislator in those days was the king. All edicts ran "we" and all signatures "me," seldom "Louis," but nearly always "moi."

Chartier de Baune, the first Attorney General, the man who apparently brought in the method of pleading and practice under the Custom of Paris, also gave us, according to our records, our first criminal prosecution. He had hardly landed in New Orleans, which had then not become the capital, when two roving soldiers of the Marine Detachment there established took a liking to his linen and raided his establishment, and in due course were arrested and prosecuted. The indictment says that the Attorney General recused himself, and called in the Town Major of New Orleans to prosecute in his stead. That first criminal prosecution in our records is in the shape, however, of a court-martial, because the men were soldiers, but the forms they followed are forms prescribed by the Criminal Ordinance of Louis of 1670.

In due course of events one of the poor wretches was acquitted, or rather, it was held that the deed had not been proven on him; but the other was condemned to be flogged by a negro at the four corners of the village, and thereafter to serve time three years as a convict of the company, wherever it saw fit to send him. As the record indicates it is probable the Sieur Chartier de Baune suffered a trifling loss, it is evident our early forbears did not temper justice with mercy, notwithstanding they were in a wilderness where human sympathy might be expected to control the stringent criminal laws of the old world.

At this period Louisiana was ruled by the Company of the West, and, strange to say, not by the king of France. It controlled Louisiana from 1717 to 1732. The company named the judges and indeed named all local officers. The king merely confirmed the appoint-

ments or recommendations as the edict called this privilege. All legal process, however, ran in the name of the king and was sealed with the king's seal, but this was in accordance with the tenor of the company's grant.

Turning again to our documents of the French period, we find that the judicial system of 1719 and thereafter was this Superior Council, a working court of five to seven members, two of them lawyers and the remainder laymen. This principle of a mixed tribunal was never changed in French times, but the membership was sometimes reduced or enlarged either by the council itself or by decree of the king. The ordinance under which they operated was a flexible charter or constitution covering every detail, but leaving much to the judges, including the fixing of costs. We have found in our records three ordinances, edicts or decrees of Louis, king of France, relating to the Superior Council of Louisiana. These ordinances or edicts have never been discussed in any history of Louisiana. We have caused them to be printed in translation, and to you students, who may be interested in such things, we commend specially the 1919 and 1920 volumes of the Louisiana Historical Quarterly, which has printed these edicts and other material from our archives. The edicts particularly are perfect specimens of the draftman's skill, well co-ordinated and carefully prepared, more so perhaps than our laws of the present day. These documents constitute the first, second and third judiciary acts of Louisiana, but they are really one law, remodeled and re-enacted.

The pleadings, as I have told you, were drawn in the most simple shape. Take one of them as an illustration, a petition to open a succession. It is addressed to their Lordships of the Superior Council. Then comes the petitioner's name and occupation; he "humbly petitions"; there follows then a recitation in a few words of the matter which he is submitting to the court, and that, in turn, is closed with a prayer for such relief as he desires, or for such relief as the court may grant. In other words, this document which I am describing to you, dated, say 1719 or 1732, it makes no difference which, followed one unvarying form, the petition for relief that has been common in Louisiana for two hundred years; the form was employed in all proceedings, whether for legal or equitable relief, in probate and in civil matters of every description.

The petition was written out, as a rule, by the clerk of the Superior Council. This official was one of the most important men in old Louisiana. That office, it is believed, was bought and paid for, and he seems to have held it for life. One of them, feeling the

grip of death upon him, bargained it away for a price represented by the note of the would-be successor. One of the contemporary lawsuits of that period is a suit by this purchaser against the ex-clerk's estate. The plaintiff got back his note because the Superior Council had refused to recognize the sale, although the decedent had paid for his office; they held it was not assignable, and the power that gave it had a right to sell it again to the next comer.

As I have said, this clerk of court, either by himself or through a deputy, wrote the petition or complaint. There were no lawyers in Louisiana in those days, except those two paid men, the First Councillor and the Procureur. Having a cause of action, I stepped into the office of the Procureur or Attorney General, whose duty it was to advise me as well as the State. He probably passed me over to the clerk, and the clerk in turn wrote my cause of action and I signed it, or if I could not sign, I made my mark, and the clerk signed as a witness with me. If it was an issue of fact or matter of any kind that required attention, the First Councillor endorsed at the foot of it, that is, the judge, endorsed his permission to file it—the clerk does not seem to have had that right. And by the way, that permission is a form that in part has come down to us even unto the present day. I will read you one such order from 1730, endorsed upon a petition, which asked for citation:

"Soit signifié et assigné au delay de l'ordonnance a la Nouvelle-Orléans le 13 Fbr. 1730."

which, roughly translated, runs:

"Let the defendant be notified to appear before us within the delay of the ordinance."

"Let" still remains the first word in most of our orders.

The ordinance referred to in this order is the civil ordinance of Louis, promulgated in 1667 like the criminal one of which I have already spoken in 1670. As English-speaking people, who have largely forgotten the tongue of our ancestors, it seems as nothing to speak of these ordinances of 1667 and 1670, but they were important laws of that period. If you will brush up your French and read them I promise you an interesting session, a subject of information as well as an introduction to ancient legal remedies in Louisiana.

The petition having been filed and the order having been rendered for its service and for the defendant's appearance, the *huissier* or sheriff of the court then took it to the other party and read the

original to him and served a copy upon him. He endorsed upon the original a return, the typical return of the sheriffs of Louisiana today. In effect he says, "I certify that I took the petition and the order in this case to John Smith, merchant (or planter or laborer), at his house (or farm or shop, giving its location); that I read to him the contents of this petition, in order that he might not say hereafter that he did not know what it was, and that I then left a copy of the same with him. In testimony of all of which I am making and signing this return." The defendant, haled into court by this process, immediately went to the procureur or to the clerk and told him what his defense was, and the clerk wrote it out in similar fashion, addressed to their lordships of the council. So-and-So "humbly petitions," etc., setting forth his defense, and that, in turn, is endorsed, "Let it be filed," and the case is at issue, and the hearing follows immediately."

In all the records thus far, I do not find any evidence of the formalities of a trial. I imagine it was a dignified but also an informal proceeding. These five laymen and two lawyers sat around the table and there heard their friends and neighbors who were involved in this quarrel, and they decided it then and there; but where a case was serious each side presented his views in writing, written also by this wonderful clerk. It may be too that this was their way of presenting the evidence in the case. The clerk seems to have prepared the version of each side with equal impartiality. I ought to add that the Procureur General sometimes prepared one of these statements, and if he did the clerk generally wrote the other one.

In the edict of 1716 the judges were required to have three of the Superior Council agree in all decisions in civil cases, and five to agree in all criminal cases; and this provision runs through all the edicts. The court must also have been required, by some rule we have not found, to state its reasons for judgment, because all judgments of this ancient period all start off very much like the report in the *Journal de Palais*,—"Considering," "whereas," etc. Due to this practice it is possible in every case decided in French colonial times to find something to indicate what it is all about wherever a scrap of the record has survived.

There was no expense to the litigants, for judges or lawyers; in that respect justice was free in French Louisiana. The only costs that anybody paid was the clerk's and possibly the sheriff's expenses which were fixed by the court from time to time, and taxed in the margin of the register of the court.

I have found in these old records innumerable wills. The olographic will as we draft it today in our offices and execute in court

without trouble was a familiar thing in that ancient day. Most of them start with the consignment of the soul to God and the Saints, followed by "I, So-and-So, etc.," and they close with "All written and done in my own hand." The nuncupative will by public and private act is also very common in those records, and hardly distinguishable from the form we now follow. It could be and was executed before the *curé*, before the judge or before the clerk, and, in the absence of those, before three or five citizens or inhabitants of the place. When they came to presenting these documents for proof and probate, the clerk and the judge used the same forms that we now use almost identically. The nuncupative will which was executed before the *curé* or judge was probated without any other formality, because when it was executed it was turned into the Superior Council archives; that was considered a filing of that will. I have found no case of such a will that did not primarily and at once go into the records of the Superior Council. It is probable that we will find differences in the methods of making and probating wills as we study the later periods of the French era. The Custom of Paris no doubt governed until the changes made by the ordinances of 1731 and 1735. Indeed this applies to all our legal studies in this period.

These archives are full of marriage contracts, and these are extremely interesting, particularly in reference to the community and to marital donations. There are emancipations; innumerable successions; appointments of executors; qualifications of tutors. One singular thing that I notice is that there was no under-tutor, but there was a curator *ad litem*. A female child up to twelve years of age and a male up to fourteen had a tutor; after that they had a curator *ad lites* or *ad bona*, who was charged with the child's affairs. Tutorship before puberty, curatorship thereafter, was the rule, and this system was perpetuated in the Code or Digest of 1808. This rule, it is believed, was derived directly from the Custom of Paris. Whether under-tutorship came in later and before the French period ended we have not yet discovered. They had the family meeting composed of five relatives and friends, and there are the same allegations in the petition of propinquity of relationship, and connection and as to friends, etc. The form is almost exactly as we do it. The proces verbal advises the belief of the family meeting that the thing sought to be done is for or against the best interest and welfare of the child, and when their deliberations were closed the proces verbal was carried before the judge and homologated just as we do it today.

In short, gentlemen, if any of those learned officials, my friend Garic for instance, because I have become intimately acquainted

with him; my friend Garic, clerk of the Superior Council, if he could wake up from his long sleep and return to now-a-days and get the dust out of his eyes, and pick up his quill pen, he could, after two or three hours reflection, begin to write our petitions and judicial proceedings all over again, even as he did in 1721; there would be no real difficulty, either with the judge or the procureur or with the forms in probate matters and in pleadings and methods of practice and delays and citation, service and return and the different processes and writs (orders) of execution, etc. All those things, our friends of that day, if they could return to earth, would be able, with very little preparation, to resume as of yore.

These French legal ancestors had also the business characteristics of some of our brethren of today. For instance, the first succession we find opened was that of a captain of marines, who died on Dauphine Island in 1717, at two o'clock in the morning. Somebody notified the clerk of the council or the procureur that he was dead. The proces verbal says that within the ensuing hour they had affixed the seals upon his property. They described how they did it, with great particularity. They adjourned for his funeral, but after his funeral they made an inventory, etc., and all those proceedings are exactly as we carry them out today, affixing the seals, making the inventory, description of the goods and property, etc., but an appraisement seems not to have been a part of the duty. Thereupon, having made the inventory, the man's will is produced; he names the major of his regiment as executor, who promptly declines; a dative executor is appointed without further formality, and there after all the effects of the succession are sold at public auction by drum beat on the Island, and the proces verbal recites that notice was given by beating the drum and calling upon the inhabitants of the Island to assemble at a certain place, and that they did assemble, to-wit: that the majority of the inhabitants were at the place when the selling began. Not of any legal interest, perhaps, but this document is a human one, just to show you how a gentleman of that period, a bachelor, lived in his bachelor quarters; he was an officer of the army and a major by brevet, and a captain of marines. It shows how he lived, because the little room and outroom of his house is described, with its windows and door and its furniture and coverings; it shows how he dressed, because his vest and his long breeches and short breeches are described, and the various other things that he wore and used are all set out in minute detail; and the proces verbal of sale shows what those things were worth. I would like to say, as illustrating the way they lived in those early days,

those who have so long since gone to the Happy Hunting Grounds, that there were found among his effects several grades and qualities of brandy and wine, white and red, and quite a lot of it, and when these were sold, there was very active competition for them. There was evidently no prohibition in the Island of Dauphine!

We have not found as yet anything of special interest regarding the first judge, who was *Sieur Hubert*. His name figures all through the early French records, however, and it may be when we get deeper into it they will tell something, or some future student may find and tell us something about him. He was the first judge, just as *Sieur Chartier de Baune* was the first attorney general or procureur.

The jurisdiction of the Superior Council was original, and at the beginning, exclusive and final. It possessed civil and criminal jurisdiction, and was besides the only court in Louisiana. At the posts, such as the Opelousas, where my distinguished friend here present lives, there was a local commander who acted as judge and conservator of the peace, but if litigation or trouble of any kind arose there his sole function was to take the testimony and forward it from that place to the Superior Council sitting in New Orleans, which proceeded to decide the case. In New Orleans, as we have shown, the issues were tried orally without reducing the evidence to writing. Toward the end of the French period local judges were appointed at the posts with power to decide, subject to appeal to the Superior Council, without bond. But the ordinance provided that the successful litigant could enforce the judgment by giving bond to abide the result of the appeal. There seems to have been no method of suspending the execution. This, too, is said with reservations. The actual operation may have been changed, but so far we have found nothing either way.

While there was no appeal from the judgment of the Superior Council, we find that the Council of State at Versailles exercised a right of review. In a printed brief of the later French period in our records it would appear the method of invoking this relief was akin to our certiorari, mandamus and prohibition. Among litigants at the close of that era one of the most frequent names is *Etienne de Bore*, who seems never to have lost a case without exhausting this remedy, and the notice that he gives of his intention to apply therefor is not unlike our own notices in similar cases. In the brief just mentioned the argument indicates that the Council of State could be appealed to only against usurpation of jurisdiction or clear refusal to follow the ordinances or because of conflict in the same. The history of French law tells us that the Council of State was at once

the Privy Council of the king, and the Court of Courts in France. It could halt the parliaments for instance, but it is added that its interferences with the higher courts was very infrequent. It would appear also that when the relief was granted, the whole case was re-examined.

Perhaps the most curious feature of these old archives is the occasional criminal record. One full and complete file covers a murder in Natchitoches just before Spain took over the colony. The accused was arrested in Natchitoches and sent down to New Orleans, where chains were put upon him and he was immured in the dungeon. The proceedings against him are started by the attorney general, very much like it would be done today by the district attorney. It was called an "information." Mr. Pain, (some of you may be interested in hearing that name), is designated as the judge in Natchitoches to hear testimony upon this prosecution. The accused remained in jail. He was not even served with a copy of the indictment. He did not know what he was there for, unless his conscience afflicted him. In the meantime, Judge Pain sat in Natchitoches and summoned and examined all the witnesses, and he transcribed all the testimony, without, however, indicating his own finding or opinion. This was returned to the Superior Council in New Orleans, where a confrontation occurred, namely, one of the judges of the Council visited the accused in his dungeon and confronted him, not with the indictment, not with the testimony, but with the testimony of the principal witness who testified to the time, the place, and the physical blow. This was the testimony of a woman who saw the blow which caused the death. Her testimony was read to the man in the dungeon, and he is categorically asked to say if it is true or not true, and his reply was taken down. He answered that the woman was a fool; that she was under the influence of his enemies; that she had never seen the affair, in all of which he was without volition, because he had no privilege to refuse to answer; he was compelled to answer categorically because the ordinance under which he was prosecuted so required. Having denied categorically at this confrontation the testimony of the prosecuting witness, that witness was called down from Natchitoches, where she resided, and the accused was brought into the courtroom from his dungeon. The report says his chains were taken off, and he stood free of his shackles, but he was put on the criminal chair or bench, and there in his presence, the accusing witness' testimony was read to her and she was again asked, "Is this the man and is this true?" and she said it was. He was allowed no questions to her. The presiding judge asked

some questions and the proces verbal says that, having reiterated her testimony, the accused was remanded to the jail and the case set down for trial. Well, in due course, the fellow was tried, that is, his case was heard before the Council, where he was again questioned by the judge and in due course convicted. It would take too long to tell you his sentence, but, briefly, he was condemned to be taken from his cell in a dirt cart and to be carried across the streets and crossings of New Orleans to the place of execution, labeled with a sign that he was a murderer. At the place of execution he was to go upon his knees and ask forgiveness of God and of the dead one for his mortal sin of murder, and thereupon he was to be broken on the wheel, and it even says what part of his body is to be first broken and mutilated, and then he was to be hung by the neck until he died. Subsequently, and shortly after they reached this decision, and before the sentence was carried out, the judges modified the sentence, so that the condemned man should be hung first and broken afterwards, a very tender attention on the part of his judges. This decree bears the signatures of the full Council. Below it, is a certificate that the sentence of the court was carried into execution. The Place d'Armes was the usual place, in front of the Cathedral, where these executions were conducted. The record of this case has been translated and published in a recent number of the Louisiana Historical Quarterly.

There are many equally interesting cases in these records, one of them (1726) involves a question of superior and inferior rights of drainage. In that case the right of one owner to dam up and turn back the drainage on his neighbor was beautifully presented in pleadings, proofs and argument, and fortunately the whole record is there. The loser was ordered to undo the mischief and to furnish slaves and land to the victim ready for a crop to be grown to replace the lost one. This case was presented, heard, decided and execution satisfied within a fortnight. There was evidently no congestion of the dockets in French times.

I submit it to you, gentlemen, whether archives such as these are not worthy of preservation; whether it is not well for us to put them where students can examine them and where they can be made the subject of historical investigation. I have only touched the matter in this talk, but I am convinced you are converted, and that you believe we should act now to save these precious remembrances of our French legal period.

II.

Spanish Period

The legal history of our Spanish era is almost a blank. Little or nothing is known about the judicial side of Spanish times in Louisiana. We are entering on ground here that, historically, has never been plowed, but with these records in our hands we can supply the story. These Spanish records are intrinsically more valuable than the French archives, for the Spanish period colored our early codes and even now there is seldom a volume of Louisiana Reports that does not contain some case that discusses old Spanish law.

You will remember France ceded Louisiana to Spain in 1762, and that the French local commander, d'Abadie, was duly advised thereof by his King, who ordered him to hold the colony to await the demands of Spain and to evacuate and withdraw from the same, when he should surrender it to the new comer.

Three years later (1765) Don Antonio de Ulloa appeared in New Orleans, authorized, as we now know, to take possession for Spain, under the terms of the cession. He did not follow the letter of his instructions, but philandered with Aubry, the French commander, who had succeeded on the death of d'Abadie. Ulloa did not exhibit his credentials to the Superior Council, nor did he proclaim the Spanish rule. On the contrary, he left Aubry in office and in command. The French Superior Council continued to function, and indeed, it increased (or perhaps usurped) prerogatives which it had not previously enjoyed, drawn on or urged to this by the necessities of the situation. The people turned to the Council, who were all Creoles of local origin and interests, rather than to Aubry, the Frenchman, whom they had begun to regard with suspicion, and justly so, because we know now that Aubry had taken Spanish pay, and was in truth disobeying his instructions, which looked, as I have said, to a complete severance of himself and his rule upon the arrival of the Spanish Commissioner in the colony.

Why Ulloa preferred the devious course pursued by him remains one of the inscrutable mysteries not explained by his own apologio, subsequently published in Spain, nor by Gayarre's labored defense in the Spanish section of his history. Through Aubry, the Spaniard, Ulloa, began to restrict the rights of the people, particularly with reference to the commerce of the colony, and it was not long before there was a popular response. The Creole had no particular love for the Spaniard; that was, perhaps, only contemporary racial ill-feeling, but it was there and to be considered. The leaders also knew and

feared the governing principles of Spanish colonial rule; they believed it was now intended to reduce them to the position of other subject races of that kingdom; they felt, in their persons and property, the slow strangulation of their ancient privileges, and it only needed the commercial decrees which Aubry promulgated to fan the spark to flame.

The time produced the leader, though Gayarre would have it the leader produced the time. A Creole held the French King's commission as Attorney General, and he had not been displaced by Ulloa. This son of the soil, Lafreiere, soon dominated the situation; under his lead the Superior Council increased its membership, as it had a right to do; it took over the government of the colony, expelled Ulloa as an intruder, and with an outburst of popular applause they settled down to peaceful enjoyment of the victory. The ensuing lassitude is explicable only on the theory that the movement was not supported by a united people, or that the leaders were afraid to commit the issue to the arbitrament of arms. Whatever the cause, this admirable beginning of a revolution sank to the level of an "*emeute*" or local row. In due course O'Reilly came with an army in 1769 and extinguished French and Creole rule in the blood of the leaders. A change of government was decreed, and to root out the schism the old laws were abrogated and the laws of Spain brought in. The official language of the race was suppressed and Spanish established in its place.

This peaceful invasion of O'Reilly in short rejected the rule that prevailed then and now in regard to conquered peoples. Not only did he subvert and overthrow the government, but he trampled on the law and the rules of law which regulate private rights in such cases. He sought even to eliminate the language of the people, and to reverse the action of the human heart. He seemed to believe he could, by proclamation, convert a French Creole into a loyal Spaniard, unless maybe he hoped these drastic decrees would sink the native to the level of his peons in Mexico.

Before making these changes, however, O'Reilly had devoted his entire time to the prosecution of the leaders of the revolt. This is called by Gayarre a State trial. His title indicates he had in mind such trials as they were conducted in the early English periods, but there is no resemblance here to any, even the most tyrannous and bloody Jeffrian example of our race. Those victims were tried in the open. If they were baited and brutally handled, as in truth they were, it was done in a courtroom and before a jury, and the world heard and history recorded their defense. It was at the worst

judicial tyranny and regal oppression. But Lafreniere and the remainder of his group were separated and immured in dungeons; they were secretly examined in that place by two lawyers brought from Havana to conduct the "investigation," which was wholly after the Spanish manner. It was a secret inquiry, the witnesses examined against the accused (and more than five-score depositions were obtained), were examined secretly and under instruction not to disclose either the fact that they had testified nor the substance of their testimony. We have not found in our archives the record of this "trial," but it is believed it is still extant in Spain. Until this is found we are entitled to doubt whether there was a *court* in any trial sense. It is probable O'Reilly was the sole judge, and at best he may have been attended only by his military attaches. It is sure that he alone signed the judgment, which in its body seems to rely on the advice or concurrence of the investigators aforesaid.

Gayarre's report indicates the accused were not present at this "trial." They were convicted, so far as we know, by a decree rendered out of their presence. Their defense, as presented by Gayarre's pages, does, however, raise the incident to the dignity of a State trial. In substance, they defended themselves on the grounds just stated by me, namely, that they were at the time of their offense French subjects, living under French law, that Spain had not then assumed sovereignty over Louisiana; that under the terms of the cession and under the instructions of their King, dominion would not pass to Spain until she had taken physical possession, and until France had withdrawn her representatives and her soldiers. In brief, that until France evacuated, Spain could not rule. They claimed that their offense, if any, was against their own King and to be prosecuted and decided according to the laws of France. Without delaying you further on this first *cause celebre* of Louisiana, it remains to be said that it is part of our duty as Louisianians to bring the record of this trial under examination. As lawyers it is our duty to re-examine at the bar of history the legal questions presented and to endeavor to write the final verdict. Whoever does this will be entitled to the gratitude of the State.

When O'Reilly had soothed his official soul with this bloody assize, he proceeded to map out the future for the new Spanish colony. By two proclamations (November 25, 1769) he abolished the old government and created a new "political and military" unit which he called the Province of Louisiana, and promulgated rules for the new government and a code of laws for the people. He did not differentiate the civilized race he found in possession in any re-

spect from the Indians and other races his predecessors had conquered in America. We know from his proclamations and from the records in Spain that he was vested with power to alter the government, but it has not been satisfactorily shown that he was authorized in advance to destroy the private law and legal rules of the conquered territory. The subsequent ratification by the King and the Council of the Indies transferred the wrong to the source of all power in Spain and the question is intrinsically interesting only in the aspect here presented. O'Reilly did not allege any such right in himself. I mean in his proclamations, and we must assume that he acted on his own judgment and considered it within the scope of his instructions and within his general powers as "Governor and Captain General of the Province of Louisiana."

This new Spanish colonial unit was independent of the other Spanish colonies in the sense that its rulers were to be appointed by the King, yet the Governor of Louisiana was subordinated to the Governor and Captain General of Cuba, and had to regulate his conduct by orders received from them, particularly in political and military affairs. The power of the Governor within the limits stated was practically supreme. He represented the person of the King. Under the Governor there was a corps of officials, and each principal officer had a legal adviser for his own guidance. These officials controlled the commerce of the province, and managed its finances, but as to the latter, they were in turn subordinate to the Royal Hacienda (Treasury), which regulated the tariffs, taxes and other exactions, and controlled the general income and expenditure of the province.

Alongside the provincial government, O'Reilly created a Municipal Council for the City of New Orleans called a *Cabildo*, a form of local government originating in Spain and extended by her to the larger communities in her several colonies. O'Reilly's model for this *Cabildo* is declared by him to be derived from the provisions of the "*Recopilacion de las Indias*," the great code or digest of the laws and regulations enacted by Spain during the preceding centuries for the government of her colonies, and for the management of their people in all the departments, and down to the smallest details, of life under government, but while every section of the ordinance creating this body is annotated from the *Recopilacion*, other laws of Spain are also cited as the sources of the institution.

This Louisiana *Cabildo* has a legendary and an actual history, and the study of our archives may settle some of the conflicts be-

tween legend and fact, particularly as to the part it played in the general government of the province.

Using O'Reilly's ordinance of November 25, 1769, as our guide, and having regard also to the brevity which the occasion requires, it appears that the Cabildo was primarily a local Municipal Council, composed of the Governor and six regidores or councillors appointed by the Governor. The office of regidor was sold to the highest bidder, but it had a rating or value, and could be assigned by first paying into the royal treasury the half of this rating or value. But even here the Governor held control and could veto the purchase or the assignment. These regidores were entitled, by virtue of their office, to divide among themselves certain offices with high-sounding names; these offices, regidores and others, were more or less honorable and always lucrative, because in practice no Spanish official ever failed to find some source of revenue in his office. At their first session and on the first day of every year thereafter the Cabildo elected out of their own number the officials aforesaid, namely, the Alferes Royal, the Alcalde Mayor Provincial, the Alguazil Mayor, the Depositary General, and the Receiver of Fines. But the election was always subject to the Governor's approval. He was the head of the first "ring" in Louisiana. The Alferes Royal was the keeper of the royal ensign. What other duties or functions he exercised, or what emoluments he received, we do not yet know, but as a member of the Cabildo he could take over the duties of an alcalde in case of vacancy and he joined in the exercise of many powers which were conferred on that body, some of which I will glance at later on. The duties of the Alcalde Mayor Provincial resembled those exercised today by the Chief of Police, save that he sat as judge over any criminal he had arrested, and here he would be likened to the old recorders of New Orleans or the judge of a country parish, but there was no appeal from his sentence. This officer, moreover, had the authority to, and he was specially charged to, ferret out crimes wherever committed, and to this end he was made the head of the Spanish Tribunal of the Saint Hermandad, which was a powerful secret organization organized originally in Spain to extirpate bandits and other outlaws. Its authority, as stated in the ordinance, smacks of the Inquisition, and its process resembled the procedure of our *post bellum* Ku Klux Klan. We are not able to point out the extent of the revenues of the Alcalde Mayor Provincial, but it was a highly prized office of evident power and doubtless it was a remunerative one.

The Alguazil Mayor combined the duties of our New Orleans Civil and Criminal sheriffs, and he was primarily the guardian of the

peace. He was an active and important official, and one of his sources of revenue was the jail, for every wretch locked behind the bars paid fees before he could get out. The Depositary General had duties resembling that of a city treasurer and received three per cent on the deposits. The Receiver of Fines (*penas de camara*) exacted for the use of the royal treasury was also a lucrative office paid for by commissions of ten per cent on all sums collected.

Besides these monopolies or plums of office, the Cabildo elected each year a manager of the rents and taxes of New Orleans. He was called the Mayordomo in Proprios, and his position may be likened to a combination in one office of the duties of our modern mayor and the commissioner of public works and streets, with those of the comptroller added. Two judges were also elected annually by the Cabildo, called Alcaldes Ordinary, and the Cabildo also elected each year a Syndic Procurador General. Another office financially and socially quite an important one was the Clerk (*Escribano*) of the Cabildo. He also bought and paid for his office, and it was subject to assignment under the restrictions already noted. All offices for which a price was paid were called, for this reason, venal, and with few exceptions, all official life in those times lived up to this definition. The *Escribano* apparently held his office for a term of five years, with a preference over other candidates for appointment or confirmation at the end of his term. The power of appointment was vested in the King, but when this happened he had to pay again.

It would appear from the ordinance that the Cabildo had two particular functions. It was a quasi deliberative body and a judicial body. In this first capacity it administered the affairs of New Orleans very much as any other body would do it now, but always in subjection to the Governor. In the second it sat as a court of appeal in judicial matters in civil cases only, and here, I believe, it heard appeals of some character from the province at large. In this capacity it acted by two regidores designated for the purpose. Whether the Cabildo had any power or duty over or in connection with the province outside of New Orleans is uncertain. I am inclined to the view that it had none. The government of Louisiana was vested in and controlled by the Governor and his administrative corps; that he may have deliberated in the Cabildo is possible, but that this autocrat would divide his power with that body is an assumption I am not prepared to accept without the proof, which so far has not been obtained. No writer so far has examined the records of the Cabildo still to be found in Spain, and while we may supply from our archives

something to help, I fear it will remain true when our work on the archives is finished that the history of the Cabildo has not yet been written.

The offices with which we are most concerned at this moment are of course the Alcalde Ordinary and the Procurador General. The Alcaldes Ordinary were judges in the full sense. In short, they are the ancestors of the district judge of today, except that we no longer exact the "half annat," or yearly contribution of one-half of the rating or value of the office, to which the Alcalde Ordinary was subjected. These judges had cognizance of all matters either civil or criminal within their territorial jurisdiction, which extended throughout the city and the dependencies thereof, excepting those which fell to the cognizance of the ecclesiastical, military, or other special court. These excepted jurisdictions were serious impediments to the revenue of the judges, who apparently lived on the fees of office. The "Special" Court was in truth a very serious competitor because the Governor's court fell in this category and it was a favorite place for suitors, particularly those with a "pull." Outside of New Orleans justice was administered by a local commandante with an appeal or reference to either the Governor or the Cabildo, and more than likely the former. This particular phase of judicial administration in Spanish times needs separate treatment and cannot be covered here, as my time is running away too rapidly.

Nor does our time permit more than a glance at the judicial system as developed in New Orleans, that is also a vast subject, but it still must permit us to quote the instructions for the conduct of the judges. The ordinance says,

"the Alcaldes shall appear in public with decency and modesty, bearing the wand of royal justice, a badge provided by law to distinguish the judges. When administering justice they shall hear mildly those who may present themselves, and shall fix the hour and the place of the audience, which should be at 10:00 o'clock in the morning, at the City Hall; and, for the decision of verbal causes, in the evening between 7:00 and 8:00 o'clock, at their own dwellings and in none other."

I know I raise in your breasts an appreciative comment on that injunction to "hear mildly," because, apparently, it applied to suitors *and* lawyers, and I have heard it is not always observed in these later days.

I have mentioned the judicial power of the Cabildo and should add that it had cognizance of civil appeals from the Governor's

court and the court of the Ordinary Alcaldes, where the sum did not exceed ninety thousand maravides, about \$330 of our money. Judgments above that sum went to an Audiencia (or Supreme Court) created at Havana for that purpose. This appeal to the Cabildo had to be taken within five days after the judgment, and the Cabildo immediately appointed two of its regidores to hear the appeal, sitting with the judge who rendered the judgment appealed from. Whether this appeal was on the law and the facts we have not yet verified from our records. The ordinance required the same to be heard and decided within thirty days. It is certain that the question of executing the original judgment pending the appeal was under judicial control, but here we are also in ignorance regarding method of protecting the appellant or restoring him to his rights on a reversal of the judgment. There is nothing so far developed to indicate that this appellate jurisdiction extended to appeals from the other parts of the province, except perhaps in so far as it could review judgments of the Governor's court, which seems to have enjoyed a wider jurisdiction than that of the Alcalde Ordinary, and as I have just said, we are unable to say positively that the Cabildo exercised any jurisdiction as such over the remainder of the province. This discovery must await the investigation of other records of that body which, so far, have not been found. Those which I am discussing are wholly judicial.

An Audiencia, or Court of Appeal, at Havana was established in 1781 for cases in excess of ninety thousand maravides. It was composed of five persons, namely, the Captain General of Cuba, the Auditors of War and Marine, the Attorney of the Royal Hacienda (this office has no English synonym; it may be said to apply to all financial and revenue departments of the empire), and the clerk of Government. From this Audiencia a further review might be had before the Council of the Indies in Spain.

The Procurador General, says the statute,

"is an officer appointed to assist the public in all their concerns, to defend them, pursue their rights and obtain justice and pursue all other claims which have relation to the public interest."

This office was a pure monopoly. The Procurador just had to be employed; the litigant had no choice about it. Our records show that this was an extremely lucrative office; in practice the Procurador appeared in every case, and a procurador *ad litem* also appeared

whenever there were two sides to the cause. Their fees and expenses were taxed as part of the costs. And, by the way, every record is closed with a tabulation of the costs. Everybody connected with the courts had something taxed to him at the close of the litigation. Nobody was forgotten, from the judge to the deputy sheriff, and the litigant paid it all. Justice in Spanish times was "free" only to the officers of the court.

O'Reilly's Ordinance carried a table of fees, covering the compensation of every officer from judge to jailer, but he was merciful to the lawyers and attorneys. He allowed them fees according to the scale of the judges and assessors, but left open the door for an appraisal of any services not strictly covered by the fee bill for court work. I must not forget to add that here lawyers and attorneys are not synonyms. The former were of the class of the procurador, the latter merely representatives of the litigant and not necessarily possessing legal knowledge.

This system of charges was the real burden which afflicted the people in Spanish days. Literally, one could say that "every little motion" of an official had a compensation of its own, but the thing that stands out most vividly is the value of a magistrate's signature. In those days a signature was a supreme effort. Few Officials there were who had not received at baptism an extra name or two, and marriage and military service added to the number. Besides these, a "name" included sometimes a rubric, and beautiful specimens a page long may be found in our records. With the rubric you might employ also a "flourish." These flourishes were creations of art; a half page was sometimes taken up before its convolutions were closed, and as legal paper in that period was bought by the sheet, (like everything else it *cost*), we, in our day of manifolds and office waste, can scarcely appreciate the suffering of the litigant who watched the judge enlarge upon his signature.

It is a legend the litigant devised a plan to flank the burden. A signature, bear in mind, could be full, half, or by cipher, the latter being anything that the magistrate devised to represent that awe-inspiring thing, his name. At the bargain counter the cipher cost half or less than half the plain signature, and it is said, I think without authority, that the latter in turn cost less than the "signature." Be that as it may, the O'Reilly rule forestalled the official panic which this cheapening of the signature would have created. He prescribed for the signature of the "baptismal and family name" on certain documents and settled its value at "four reals in silver dollars of America." The litigant might wince, but he had to pay.

In truth, our study of the records suggests to us that this system of officials and of costs was the motive for that household rhyme about the fleas:

*"The larger fleas have smaller fleas that on
their backs do bite 'em:
The smaller fleas have other fleas and so
ad infinitum."*

And the larger flea in this case was the succulent citizen whose affairs took him to the registry of titles or mortgages, to the Governor, or to any of his underlings, to the courts or to anywhere! In Spanish times, as I have intimated, almost every act of living had to pass before an official and everywhere an open hand was visible in official life, waiting for its palm to be crossed with a bit of silver.

One would think the signature once paid for was sufficient, but the Spanish word *mañana* had a meaning then as now. You appeared before the judge and he entered an order, which you paid for, and usually this order required another, and so on through many pages of orders upon orders, to each of which the judge and the clerk and the procurador and the whatnots subscribed and somebody had to pay. *Mañana*—tomorrow—was the root of all these ceremonies. You had a hearing today, another tomorrow, and so on down to that "perfect day" when all the officials appeared and "taxed the costs" and this was not always the end, for the judicial *contador* (auditor) would sometimes audit this and add his tax!

But when we are at an end of criticism and take up the records of legal transactions we are in a world as new to the French Creole of that day as in truth it is remarkable to us. Here we find almost meticulous care, and what time and fire and water and theft have left to us is enough to prove that the legal end of government under Spain was handled with care and skill and on the whole with a justice which is very pleasant to contemplate. History, like a lewd gossip, constantly repeats the scandal that the judiciary of the Spanish period reeked with graft, and it is intimated that justice was controlled and swayed according to the power or the wealth of the litigant. We have indeed more substantial authority for this charge than scandal, for Claiborne declared officially in his proclamations and in his reports to the President and to the Secretary of State that he found litigation which had run on for years to an apparently interminable end and was still undecided. The jails, he said, were full of criminals who had "rotted" there without charges or who had been forgotten,

if under charge. One of his first acts was a general jail delivery, which raised questions that assumed almost a warlike aspect. The Spanish Governor and the Spanish Intendant of 1803 hotly declared that he had released men charged with treason and other offenses against Spain, but the American was inexorable and the jails were cleared, and the litigation put under rules that soon freed the dockets.

Whoever has the right of this controversy, we can find enough certainly to prove that some cases at least show no taint. In any event, the student of these records will be richly repaid. Here will be found a harvest of legal knowledge far richer than the French French period, and, more than that, we will find precedents for much that was assimilated in the practice acts and legal procedure of the territory of Orleans before the Digest of 1808; precedents that fertilized that law book and reappeared in the Code of Practice of 1826 and the Civil Code of 1825. It is plain, moreover, that these records of the Spanish judicial period were built upon the forms that had been established in the French period. Indeed, intellectual effort to understand the Spanish phrases, particularly in the first ten years, would be wasted unless one was familiar with the model. Here again we find the influences of one man guiding the course of the practice. At the first sale of offices under the new rule the successful bidder for the clerkship of the Cabildo was the clerk of the recently abolished Superior Council. His position in the Cabildo made him clerk ex-officio notary for this judicial system. His power must have been quite as great in the new office as in the old and it is more than probable that the Syndic Procurador General and the other procuradors, who were brought here from Havana or Spain, leaned on and took advice from the man who was familiar with the court proceedings of the previous era. Whatever may have been the cause, it is clear that the meat and essence of the court records of Spanish Louisiana are French in substance. There was more formality, more writing, more signatures, more fees, but the pleadings were substantially as of yore, and we should add that though the Spanish became less Gallic as time wore on, the fundamentals never changed. But the issues did change, and here we find questions debated and decided in a manner quite different from French times.

The cause of this may also be traced to O'Reilly's Code, the general law laid down by him at the reorganization of the government in 1769. This book is a great rarity in our libraries and an expensive item for the bibliophile; indeed, it is about as hard to find as oil is in some of the dusty areas of this splendid region (North Louisiana), which is enriching so many of our brethren with con-

flicts over titles and perhaps with royalties on wells. Out of your surplus you may be minded to provide for the reprinting of this statute, and out of your leisure annotate it with our jurisprudence based on its sources. Incidentally, you may pay here, as above suggested, that debt you owe the profession.

At the close of the preamble to O'Reilly's first ordinance, abolishing the Superior Council and creating the Cabildo, the Governor said:

"As the want of advocates in this country (he had disposed of the only lawyers of the French era, Lafreniere and Doucet) and the little knowledge which his new subjects possess of the Spanish laws might render a strict observance of them difficult, and as every abuse is contrary to the intentions, of His Majesty, we have thought it useful and even necessary to form an abstract or regulation drawn from the said laws which may serve for instruction and elementary formulary in the administration of justice and in the economical government of this city until a more general knowledge of the Spanish language may enable every one, by the perusal of the aforesaid laws, to extend his information to every point thereof."

The abstract of Spanish Law was promulgated contemporaneously with the first ordinance, and it is entitled:

"Instructions as to the manner of instituting suits, civil and criminal, and of pronouncing judgments in general conformity to the laws of the *Neuva Recopilacion de Castilla* and the *Recopilacion de las Indias* for the government of the judges and parties pleading until a more general knowledge of the Spanish language and more extensive information upon those laws may be acquired; digested and arranged by Doct. Don Manuel Joseph de Urrustia and the Counsellor Don Felix Rey by order of his Excellency Don Alexander O'Reilly, Governor and Captain General of the province by special commission of His Majesty."

This work was promulgated in French, which Gayarre says was "*tres mauvais francais*." In my studies I have followed the copy annexed to his *Histoire de la Louisiane*, N. O., 1847, and for the purposes of this essay have used an English translation made by Gustavis Schmidt, a New Orleans lawyer, and published in his

Louisiana Law Journal in August, 1841. I have also seen a Spanish copy in possession of S. J. Schwartz, of New Orleans. There is another reprint of the translation in French's Historical Collections of Louisiana.

The abstract is a little code covering law and practice, and the redactors annotated it with references to the sources whence it was drawn. Through these we know that besides the sources indicated in O'Reilly's first ordinance the redactors also used at least two commentators and possibly incorporated their views as of equal authority with the statutes on which it is based, and in Spanish times this abstract and the first ordinance were regarded as parts of each other. The abstract occupies thirty-two printed pages in English print, covering about ten thousand words. It is divided into six sections, each of which is subdivided into numbered paragraphs. Each section has a title and the subjects treated are the following: Sec. 1, Of Civil Judgments in General (*Des jugements civils ordinaires*): Sec. 2, Of Executory Proceedings (*Des jugements Executives*): Sec. 3, Of Judgments in Criminal Cases (*Des jugements criminels*): Sec. 4, Of Appeals (*Des Appels*): Sec. 5, Of Punishments (*Des peines*): Sec. 6, Of Testaments (*Des testaments*). The work closes with a Table of Fees demandable by judges, lawyers, escribanos, attorneys, and other officers of justice (*Tariff des droits que doivent percevoir les juges, les avocats, les escrivans, les procureurs, et les autres officiers de justice savoir*). As indicated by the titles of the sections, the first, second and fourth sections relate to civil practice; the sixth combines the law and practice on wills; the third and fifth concern crimes and penalties.

The first section prescribes how civil actions shall be brought and defended, and here we may say that the forms of pleading were very similar to ours of today and consisted of the petition, notice or citation, exceptions and/or answer, and a replication thereto, but there was no public trial. The witnesses were examined in secret by the judge, and only after both sides had closed was an opportunity afforded to the parties to see the evidence adduced in the case; on this exposure or "publication" of the proofs, either party could object or except thereto for certain causes, such as the capacity, relationship, or interest of the witnesses, and on this issue proof was permitted. Notwithstanding the provision governing examination of witnesses by the judge, we find in the records constant examinations under interrogatories propounded by each side, but this may have been the method established by the judge under the foregoing rule without, however, conveying current knowledge of the results thereof to the

litigants. Other provisions in this section govern the hearing or argument; the time of decision, and the delay for the appeal, all of which delays are regulated, as for instance, nine days for citation, twenty days for deliberation by the judge, and five days for appeals. If no appeal were taken the successful party, on motion, obtained a definitive judgment which would indicate that the appeal was a method of new trial rather than the suspensive transfer of the case to a new court. After the judgment was final, execution could only be obtained by motion, and as this order was under the judge's control it may be that here is one of the grounds for complaint against delays to which history points. I have found no writs such as we possess, and I judge the order of execution designated the relief or form of recovery which the judge saw fit to grant.

Appeal is treated in the fourth section and, as already intimated, this appeal went to the Cabildo in cases involving less than ninety thousand maravides and apparently without bond, and I am the more convinced of this because provisions are made for speeding the case to a hearing within thirty days and for a decision by the judges within ten days thereafter. In the Cabildo the Clerk took charge of the record, and here it appears the original record was transmitted. The Cabildo appointed two regidores to hear the appeal conjointly with the judge who decided it, and the opinion of two of these judges governed the result and this judgment was final without right of further appeal. It was returned to the lower court for execution. If the judgment involved more than ninety thousand maravides the appeal went to the Audencia in Havana previously described. An Audencia was a court of last review and it had as a rule other duties of an administrative character, but this one at Havana was a special tribunal created for this particular purpose and I judge its functions were purely judicial. When this appeal was lodged, the appellee could bring up at once the preliminary question whether it should not be executed notwithstanding the appeal, and the judge could order its execution in his discretion, but he seems to have had little or no discretion in certain cases, such as dowry, alimony, or the like, "in which appeals should not lightly be admitted." The same rule governed appeals in criminal cases where the lower judge could be induced to certify he had doubts or that from some difficulties on the trial he thought it advisable to submit the judgment to the examination of the superior tribunal. Indeed, I should add that no appeal was allowed in criminal cases as of right; it depended wholly on the grace of the lower judge whether his sentence should be reviewed. I must also add that our records show

many illustrations of judicial good nature in this respect and it is curious that in almost each such appeal there was a reversal.

In all appeals to the Audencia at Havana the original record was transmitted, but a transcript of the same was made and preserved in the court below. Contemporary complaint against delays in this tribunal were as frequent as in our day. Moreover, it is said that when the case was carried beyond that tribunal to the Council of the Indies the appellee ceased to remember his wrongs and was considered fortunate if he lived to see the end of it. We do not know as yet what method was followed to review a decision of the Audencia. Neither have we found any authority for the exaction of a bond for the appeal from that court; the matter was probably in the discretion of the upper judge. None of the Cuban records are here to enlighten us, but many thousands of papers from Cuba concerning Louisiana are still in fair state of preservation in Spain, whither they were removed at the close of the Spanish war of 1898. This and other questions must wait on their examination.

Section 2 of the Code O'Reilly treats of executory process and we may pass this with the remark that one seems here to be reading the Louisiana Code of Practice on the same topic. It is all so delightfully familiar that we are compelled to believe our redactors wrote with the section before them.

"When a debt (says the first paragraph) shall be fully established and *it imports a confession of judgment as by an agreement or obligation made before a notary*; by a simple note legally acknowledged by the drawer; by confession of judgment although without any written title from the debtor; by a definitive sentence of the court, or by the cash books of the debtor acknowledged by him; in all these cases the creditor shall draw up a declaration setting forth his claim and his action *annexing thereto the document which entitles him to an order of execution*, and moving that by virtue of said document a writ of execution be granted him for the sum due."

Other provisions require the judge to cause the debtor to be summoned to pay the demand and, in default, his property shall be seized; the sheriff (Alguazil Mayor) shall make this summons. If the debtor complies, the execution shall cease; if otherwise, his property shall be seized and held unless he gives good security for the payment thereof. If he has not sufficient property he shall be imprisoned unless he be privileged against arrest for nobility or

exempted for legal cause: the military, regidors, officers of finance, women, lawyers, physicians, "and other distinguished persons" are in the exempted class. The debtor could make opposition to the seizure *within three days after notice of demand* and the opposition must be proved within ten days at furthest. In the absence of opposition or on decision adverse thereto the seized property was appraised by "two capable persons" and public notice given of the sale, which for movables was three notices in nine days and for immovables every nine days for thirty days, and it was sold on the fourth and last notice. Our Spanish records are full of proceedings *via executiva*, which with little change would serve for similar purposes today.

Section 6, Of Testaments, covers instructions regarding the procedure in the execution of nuncupative private and public wills and mystic wills:

"For the validity of a nuncupative will it is necessary that the same be received by a notary in the presence of at least three witnesses, residents of the place, or if there be no notary, there must be present five witnesses, residents of the place in which the will is to be made. If, however, it is impossible to procure the last mentioned number, three may suffice."

That sounds like an article of the Civil Code. Mystic wills, apparently, may have been written by the testator or by a witness, for the instructions are silent, but it is provided that it shall be delivered to the notary, who shall seal it, and the testator shall put an endorsement on the cover stating that it is his will, which must be signed by him and by seven witnesses,

"if they can write, and if not, the others shall sign for them, so that there be eight signatures, including that of the Escribano, who shall also put his signature thereto."

The olographic will is not mentioned, but codicils are. A large space, proportionately, is devoted to wills made by deputy or agent which, from its prominence in the statute, must have been a thing of common occurrence. There are provisions covering advancements to heirs and one may deduce that collation was so well understood that a reference was not needed in the abstract. There is a provision concerning legacies to legitimate descendants, as to which the testator

"may impose such conditions in remainder or entailment upon the property bequeathed as he may think proper * * * to the end that the said bequest may never pass to a stranger unless all the relations in the order aforesaid shall be deceased."

Provision is made limiting the right and capacity of illegitimate children to inherit, and another clause covers intestacy where there are no legitimate children or ascendants. This whole section is the least lucid in the abstract and evidently leaves much untouched that belongs to the subject matter.

Sections 3 and 5 Of Crimes and Their Punishment, need not detain us except to say that here may be found the material for an interesting essay, particularly because we have many records covering prosecutions for varied offenses; sufficient, in fact, to write the history of the criminal law of Spanish Louisiana. Neither should we say more than we have already said regarding the fee bill. These allowances have been with us since the beginning of time and doubtless will continue to follow the revolutions of the earth unto the end thereof, but I am tempted to add that this old "Table of Fees" has all the earmarks of an old acquaintance, for we still maintain some of its antique peculiarities; for instance, that venerable ward of the probate court, the appraiser, was paid in that day two ducats per diem, about four dollars of our money, and we are paying him that now, whenever our courage holds him to the fee bill!

This review of the administrative side of the Spanish system leaves me, I regret to say, little room for special mention of the judicial records. These richly deserve attention and they will get it some day. Due to the method employed and to the character of the issues one may get here much closer to the life of the times than at any other source. I am prone to think a study of the whole era will modify the charges of corruption to which I have referred. I am the more disposed to this view because the roll of the names of those who held judicial office from 1770 to 1803 includes many men whose reputations were then and thereafter spotless in the community. Forstall, Trudeau, Delachaise, Foucher, Almonaster, among the French Creoles, and de Reggio, Ortega and Navarro among the Spaniards, are names that held the respect of the people then and of posterity thereafter.

I have no doubt, the evidence, indeed, is almost indubitable, that the government side was rotten and cursed by the love of gold, and it would not be strange if we found its reflection in the judiciary. I have not, however, seen anything in this vast array of papers to

indicate it. On the contrary, there is much to prove that on the judicial side law was equity and mildly administered, and that it was this régime which really created in the people of the province of Louisiana that undoubted love and support of the civil law and its ways, which fought the successful battle for that law in the territorial period. And now I must dwell for a moment before closing on this last thought, to suggest something which I have not seen recorded in our histories, and that is this, when Claiborne took up his task, that herculean and unusual task of ruler, legislator and judge, for he combined all those powers in his single person, and at one time, he found ready to his hand a Municipal Council in New Orleans created by Laussat and composed of the very best material. A leading Creole at its head and a fair division of Creoles and Americans in the membership. Just such a body as the recently deceased Cabildo and not greatly differing from the old Superior Council. Could Claiborne, with his supreme authority, have been led to confer judicial functions on that body he might have altered our legal destiny. We would possibly have slipped gradually into an acquaintance with the other system and in time have forgotten the mild sway of the past under the equally mild justice of a judiciary which had the confidence of the inhabitants. If the idea occurred to him he never expressed it and on the contrary created at once, practically his first act, a Court of Common Pleas, after the model of his home system in Tennessee and Virginia. He filled its bench with judges who spoke his tongue; he established that language in its records, and out of his common law experience he devised rules for this court absolutely foreign to anything the Creoles had ever heard or experienced. He repeated from another angle O'Reilly's ruthless policy. The Creoles took it as a challenge and the war which was thus started ended only when, by congressional relief and ultimate admission to the Union with full right of citizenship, the natives of Louisiana wrote into their fundamental law that principle which preserved the civil law. That law had been the leading institution of Louisiana for one hundred years before Claiborne came among us. We have added another hundred or more years to that score. We may therefore, say that our civilization is based on its principles; that by ancestry, birth, breeding and training we are civilians, and this condition must at least persist until this generation passes. A new school may teach a different principle, but until this is done the civil law must remain. Whether it rests with us to preserve that system or to join hands with our sister states and go over to a new school is for the future to decide. But I say to you before we commit that

decision to the future let us make up the record. Let us put our archives in shape for the children who will soon take our places, that they may study the past and plan for the future. With our history ready, and the archives as our text, let posterity make up the judgment!

I cannot sit down without appealing for action by you on this vital matter. You should create a committee on archives, charged with the duty to study the problem and to recommend relief. I have talked about French and Spanish records, now scattered in New Orleans, Baton Rouge, Natchitoches and St. Martinville, but archives is a small word with a large meaning. It covers every public and private document bearing on any feature of life and government in Louisiana as a colony of France, as a province of Spain, as a territory of the United States, and as a sovereign State. The Committee should build a plan which will sustain and protect these archives and open them to public use. The legislature will undoubtedly respond to your appeal. The Bar Association has led in many great movements for the public good. Here lies an opportunity to crown your work; the time is opportune; the object noble. Why not act now and act quickly?



SERVINIEN'S CASE—1752

CRIMINAL PROSECUTION AGAINST THE MEMORY OF A
DECEASED SUICIDE.

THE ATTORNEY GENERAL

VS.

ANDRE SERVINIEN

1752, April 17

BEFORE THE SUPERIOR
COUNCIL OF LOUISIANA
AT NEW ORLEANS

From the French Records in the Cabildo.

Edited by Henry P. Dart.

Our general history of the French period tells of two instances of indictments of dead men for suicide. Gayarre (1:499) mentions *Labarre's* case in 1738, and says that "a curator was appointed to the corpse which was indicted, tried, convicted and sentenced to be deprived of Christian burial and to lie rotting and blackening on the face of the earth among the offal, bones and refuse of the butchers' stall," but we have not found the record of this case. Fortier (1:248-251) gives full details of *Servinien's* case 1752 where a similar prosecution resulted in the exoneration of the suicide's memory on the ground that he was temporarily insane. This record, fortunately, has been preserved, and all the papers connected with the incident are in our archives. Aside from its curious interest this Servinien case is valuable to the legal historian, because it is a perfect example of the Louisiana procedure under the Criminal Ordinance of France of 1670. We learn from it just what that procedure was, and what part the several officials of the Colony took in such prosecutions. From the record it appears that the corpse was treated just as a living person would be for the purpose of prosecution, trial and conviction.

It seems curious in this day that so much time, trouble and expense would be expended upon a suicide who had passed beyond this world's pursuit. But suicide in French procedure was a crime "homicide," and the punishment was a denial of Christian burial, the decedent's memory was made infamous

and at one period his estate was forfeited. Christian burial not only meant much in those days, but the suicide's heirs suffered physically as well, for the "infamy" descended upon them. The poor fellow in this instance was a humble, half-crazed young soldier, but the majesty of the law had to be protected, and it enforced the duty upon the authorities to proceed in its vindication. The result here is that there has survived for our instruction this very unique and perfect set of the forms in use in French Colonial Louisiana in all cases of criminal nature. We have printed the record of another criminal prosecution, with which this may be compared. See Degout's Case, 3 La. Hist. Quarterly p. 294.

The documents have been translated by Mrs. H. H. Cruzat and have been carefully studied by others, so as to insure a final edition of the record for future use. We also print the text for the satisfaction of the student who may wish to use the original forms.

There are ten documents in the record, viz:

1. 1752, April 17. Information or proces verbal of Atty. General Fleuriau and Clerk Henry covering visit to the scene of suicide and inspection of the corpse.
2. 1752, April 18. Inquest by Jean Baptiste Raguet, Councillor of the Superior Council, with testimony adduced thereat.
3. 1752, April 19. Proces verbal covering inquiry into surreptitious removal of the corpse.
4. 1752, April 19. Appointment of Curator to defend the memory of deceased.
5. 1752, April 20. Reexamination of witnesses before Raguet and Fleuriau.
6. 1752, April 20. Interrogation by Raguet of Pierre Cecille, Curator.
7. 1752, April 21. Confrontation of witnesses before Raguet and Cecille.
8. 1752, May 5. Opinion of Fleuriau.
9. 1752, May 5. Confrontation of Cecille.
10. 1752, May 6. Decision of the Superior Council.

Translation.

I. Proces Verbal of Judicial Inquest of Attorney General Fleuriau and Clerk Henry Upon the Suicide of Andre Servinien.

April 17, 1752.

In the year one thousand seven hundred and fifty-two, on the seventeenth day of April, at 10 o'clock in the forenoon, we, Francois Fleuriau, Attorney General of the King in the Superior Council of the province of Louisiana, on information given by Sr Francois Simare de Bellisle, a bachelor, Major of the troops in this city, that there was a soldier in the neighborhood of the barracks, on the side of the Intendency, who had blown off his head with a gun.

We went to the said neighborhood, where, having entered the first yard, accompanied by the clerk of the Council, we were led to another small yard where were the privies; there we saw a corpse stretched on his back with his gun between his legs and a bad knife on the trigger of the said gun. This man is a soldier, we are told, named Andre Servinien, so-called La Rochelle, a soldier of Benoist's company. His whole skull was carried away and his brains blown at a distance from his head. We saw the marks of the bullets against the wall of said place, which made us think that the said soldier blew out his brains standing, the barrel of the gun apparently resting against his forehead, and that he used his foot to let the trigger loose; the said gun was still lying between his legs. We then ordered that the body be transported to the Royal Hospital of this city to have it laid on the ground, and to institute proceedings against the said corpse on our demand and we have drawn up the present proces verbal to serve and avail as need shall be.

At New Orleans, the above mentioned day, month and year.
Signed: "Fleuriau".

"Henry, clerk" (paraph).

2. Inquiry by Judge Raguet on Suicide of One Andre Servinien.

April 18, 1752.

Inquiry conducted by us, Jean Baptiste Raguet, Councillor of the King in the Superior Council of the Province of Louisiana, on petition of the Attorney General of the King, plaintiff and accuser

against the memory of a soldier named Andre Servinien, so-called La Rochelle, charged with having committed homicide and destroyed himself by a gun shot in the head, which inquiry was conducted as follows on his life and morals as well as on his homicide.

April eighteenth, one thousand seven hundred and fifty-two, three o'clock in the afternoon.

Joseph Odo, a soldier of Benoist's company, garrisoned in this city, aged twenty-six years, of the Catholic, apostolic and Roman religion, who having sworn to speak the truth, declared that he was neither a relative, a connection, nor a servant of the parties, and that he was cited on this day to testify to the truth on request of the Attorney General of the King, by a notice which he returned to us.

Testifies on the facts mentioned in the complaint of the Attorney General of the King, which was read to him, that one La Rochelle, a soldier of his company and one of his mess, killed himself yesterday at eight or nine o'clock in the morning, with his gun near the privies, that he, the witness, on what was told him, went to see him with the motive of going to get water from the river and found him dead; that an hour before this happened the same soldier had taken up a knife saying that he wanted to kill himself, that every day as soon as he was in the least intoxicated or that he had drunk a dram he was in a terrible passion, continually saying that he would kill himself with a knife and that his comrades have often prevented his furies and his fits of violence, that in his frenzy he even threatened to kill his father; that on account of his violence and his bad temper he never wished to associate with him and that it is probable that at times he was out of his mind, that he never knew him well enough to form a just opinion, and he said that this was all he knew, the present testimony being read to him he said that it was the truth, persisted therein and declared that he did not know how to write nor sign. On this inquiry following the ordinance.

Signed: "Raguet".

"Henry, clerk" (paraph).

Jean Louis Rabigou, a soldier of Benoist's company, garrisoned in this city, aged twenty-five years, professing the catholic, apostolic and Roman religion, after having sworn to

speak the truth declared that he was neither a relative, a connection nor a servant of the parties and that he had been cited this day to testify to the truth in response to a notice served on him at request of the Attorney General, which notice he showed us.

Testifies on the facts mentioned in the complaint of the Attorney General of the King, which was read to him, that he knows that one Servinien, so-called La Rochelle, a soldier of the same company as himself, who killed himself yesterday morning with his gun, was often in extraordinary passion and fury, even taking a knife to plunge it into his stomach and whilst cursing and denying God, would draw blood from it with the knife, which often made the witness shudder, who prevented him from killing himself and that the comrades of his mess had also prevented him from taking his life; that he often cursed and stormed against his father saying that he would never forgive him, that he thinks that when that man had drunk a few drams he was out of his mind, and he and his companions said so, which, he said, was all he knew; his testimony being read to him, he said it was the truth, persisted therein and did not ask for pay. Signed: "Raguet."

"JL Rabigou".

"Henry, clerk" (paraph).

Pierre Filhev, a soldier of Benoist's company, aged twenty-three years, professing the catholic, apostolic and Roman religion, after having sworn to speak the truth, declared that he was neither a relative, a connection, nor a servant of the parties and that he had been this day cited to testify the truth in response to a notice served on request of the Attorney General, which notice he presented to us.

Testifies on the facts mentioned in the complaint of the Attorney General of the King, which was read to him, that he was of the same mess as one Servinien, so-called La Rochelle, who killed himself yesterday morning with a gun, that the said La Rochelle went into fury and had outbursts of insanity always saying that he would kill and destroy himself and his father too, that he would never forgive him for what he had done him, that he often took a knife to plunge into his body, that he and his comrades had often prevented his doing so, and that as he was not a sociable man and that he was not in his right mind, he and they did not associate with him, that they always thought that he was out of his mind, which, he said, was all he knew, and his testimony

being read to him he said that it was the truth, persisted therein and declared that he did not know how to write nor sign, whereupon inquiry as per ordinance and he did request pay.

Signed: "Raguet".

"Henry, clerk" (paraph).

Andre Desjardins, a soldier of Benoist's company, garrisoned in this city, aged fifty-five years, professing the catholic, apostolic and Roman religion, after having sworn to speak the truth, declared that he was not a relative, nor a connection, nor a servant of the parties, and that he was cited on this day on request of the Attorney General to testify the truth, which notice he presented us.

Testifies on the facts mentioned in the complaint of the Attorney General, which was read to him, that one Servinien, so-called La Rochelle, a soldier of their company and of their mess, killed himself yesterday morning at eight or nine o'clock, by blowing out his brains with his gun; that an hour before he had tried to kill himself with a knife and threw it away, that it appeared to him and to his comrades that he was out of his mind, that at the canteen he went from table to table taking the bottles and drinking like a demented man, that he was prone to terrible angers, swearing that he would destroy himself and his father and that his bad conduct often caused him to be imprisoned, that he was so unsociable that neither the witness nor any of his comrades wished to keep company with him, which, he said, was all he knew; the present testimony having been read to him he said that it was the truth, persisted therein and declared that he did not know how to write nor sign, whereupon inquiry as per ordinance. Signed: "Raguet".

"Henry, clerk" (paraph).

3. Removal of Suicide's Corpse.

Proces Verbal of the Removal of the Corpse of Servinien Alias La Rochelle.

April 19, 1752.

In the year one thousand seven hundred and fifty-two, on the nineteenth of April, before noon, before us, Jean Baptiste Raguet, Councillor of the King in the Superior Council of Louisiana, Commissary in this case, appeared M. the Attorney General of the King, who told us that he had just been informed that

the corpse of one Andre Servinien, so-called La Rochelle, which was deposited in a cabin of the King's hospital of this city, was carried away last night.

He is prosecuting a criminal suit against his memory to have him punished as homicide of himself to the full rigor of the King's ordinances.

Wherefore he requested us to go with him and the clerk of the Council to the said hospital, where we asked one Baptiste and two surgical students where the corpse in question had been deposited. They told us that the corpse had without doubt been removed during the night as it was there last evening in the cabin, in a box which they had laid on the ground two days ago; that they do not know nor have any knowledge whatever of who could have carried it away since they do not sleep at the hospital. We afterwards went to the yard of the said hospital where the said cabin stands, and after a thorough examination we found no break nor breach. Having likewise examined the fence which surrounds the said yard we saw nothing displaced, and at the same moment appeared two Ursuline nuns who are in charge of the said hospital and the sick, one of them named Magdalen and the other Saint Xavier; we asked them if they knew anything about the removal of the corpse and they said they knew nothing as they had gone back and retired to their beds in their monastery, that only this morning at four or five o'clock it was reported to them that the corpse was no longer there and that it had probably been carried away in the night during the bad weather whilst it rained and thundered, which was all that we could find out concerning the said removal, wherefore we have drawn up the present proces verbal to hold and serve as needs be, even the sick having told us that they had not perceived anything.

Done at the Hospital the above day, month and year.

Signed: "Raguet". "Fleuriau".

"Henry, clerk" (paraph)

4. Appointment of Curator.

*Appointment of a Curator to the Memory of One Servinien,
Alias La Rochelle.*

April 19, 1752.

Before us, Councillor Commissary in this case, the complaint brought by M. the Attorney General of the King, against one

Andre Servinien, so-called La Rochelle, soldier, on date of the eighteenth instant, the order of M. Michel, Councillor of the King in his Councils, Commissary General of the Marine and Intendant (ordonnateur) of Louisiana, below the said complaint, of the said day, the conclusions of the Attorney General of the King, we the above mentioned Commissary considering that the said suicide Servinien has no relatives in this colony, have officially appointed one Pierre Cecille, inhabitant of this colony, who will be cited before us to accept the said charge and be sworn.

Given at New Orleans, this nineteenth of April, one thousand seven hundred and fifty-two, in the morning.

Signed: "Raguet".

"Henry (paraphe) clerk".

In the year one thousand seven hundred and fifty-two, on the nineteenth day of April, at two o'clock in the afternoon appeared before us, above named and undersigned commissary, one Pierre Cecille, farmer, residing in this city, officially appointed by us as curator to the corpse and memory of one Andre Servinien, so-called La Rochelle, soldier garrisoned in this city, on account of the criminal prosecution extraordinarily instituted by us, on request of the Attorney General of the King, said Cecille, here present, has voluntarily accepted the said charge of curator and has sworn to defend well and faithfully the memory of the said Servinien, of which act was passed and signed on the above mentioned day, month and year and have signed: "P. Cecille".

"Raguet"

"Henry (paraph) clerk".

5. Re-Examination of Witnesses Heard Against Servinien.

April 20, 1752.

In the year one thousand seven hundred and fifty-two, on the twentieth day of April, in the afternoon, before us, Jean Baptiste Raguet, Councillor in the Superior Council of Louisiana, appeared the Attorney General of the King, who told us that, in execution of our order of the said day, in the forenoon, he had cited one Joseph Odoj, Jean Louis Rabidou, Pierre Filhev and Andre Desjardins, soldiers of Benoist's company, detached troops of the marine maintained in this colony, and witnesses heard in the first inquiry conducted at his request, on the eighteenth of the present month against one Andre Servinien, so-called La Ro-

chelle, soldier of the said company, accused of having blown off his head with his gun, to be re-examined in their testimony through notice served on them by Le Norman, sheriff, on this day, which notice he presented to us and demanded that he be able to proceed to re-examination of witnesses.

Whereupon we gave a certificate to said Attorney General of his appearance and requisition and ordered that we immediately proceed to the re-examination of the witnesses and the said Attorney General of the King retired.

And on the moment appeared Joseph Odoy, soldier of Benoist's company, first witness testifying before us in the inquiry conducted by us on request of the said Attorney General. After he had taken an oath to speak the truth, we read to Odoy the testimony given by him at the said inquiry and after having heard it he said it was the truth and that he does not wish to add to nor take anything from it and persisted therein; the present re-examination being read to him he also persisted and declared that he did not know how to write nor sign, whereupon inquiry as per ordinance.

Signed: "Raguet".

"Henry (paraph) clerk".

Also appeared Jean Louis Rabidou, a soldier of Benoist's company garrisoned in this city, second witness testifying in the said inquiry, to whom, after he had sworn to speak the truth, we read the testimony given by him at the said inquiry, and after having heard it, he said that it is the truth and that he does not wish to add to nor take from it and that he persists therein. The present re-examination being read to him he also persisted and declared that he did not know how to read nor sign, whereupon inquiry as per ordinance and afterwards signed:

"J. L. Rabidou"

"Raguet"

"Henry (paraph) clerk".

Also appeared Pierre Filhev, a soldier of Benoist's company garrisoned in this city, third witness heard in the said inquiry, to whom, after he had sworn to speak the truth, we read the testimony given by him at the said inquiry, and after having heard it he said that it is wholly true, that he has nothing to add to nor to take from it and that he persists therein. The present re-examination being read to him he also persisted and declared that

he did not know how to write nor sign, whereupon inquiry as per ordinance. Signed: "Raguet".

"Henry, clerk" (paraph)

Also appeared Andre Desjardins, a soldier of Benoist's company garrisoned in this city, fourth witness heard in the said inquiry, to whom was read, after he had sworn to speak the truth, the testimony given by him at the said inquiry and after having heard it, he said that it is true throughout, that there is nothing to add to it nor to take from it and he persisted therein; the present re-examination being read to him he persisted in it and declared that he did not know how to write nor sign, whereupon inquiry as per ordinance.

Signed: "Raguet".

"Henry, clerk" (paraph)

6. Interrogation of the Curator of Servinien.

April 20, 1752.

In the year one thousand seven hundred and fifty-two, on the twentieth day of April, before noon, before us, Jean Baptiste Raguet, Councillor of the King in his Superior Council of the Province of Louisiana, Commissary appointed on this case, being in the Registry of the Superior Council of the said province, appeared one Pierre Cecille, residing in this city, officially appointed by us as curator to the memory of one Andre Servinien, so-called La Rochelle, a soldier in one of the companies of detached troops of the marine maintained in this colony, who committed suicide and the said curator has told us that he is ready and offers to undergo interrogation on the facts shown by the inquiry conducted by us on demand of the Attorney General of the King against the memory of Andre Servinien, requesting that it please us to give him a certificate of his appearance and to proceed to his interrogation, and has signed: "Cecile". Whereupon we have given certificate to said Pierre Cecille in the said names of his appearance and above demand and have ordered that we immediately proceed to the interrogation of the said curator,

And on the moment the said Pierre Cecille was sworn to speak the truth on the facts on which it will please us to interrogate him,

This done, we interrogated him on his age, qualifications and domicile;

He said his name is Pierre Cecille, residing in this city, where he is usually domiciled, aged about forty-five years, professing the catholic, apostolic and Roman religion.

Interrogated if he knows for what cause he has been appointed curator in this occasion;

He answered that as one Andre Servinien, a soldier of a company of detached troops of the marine, was found in the place where the privies were formerly situated in one of the buildings of the barracks, who, it is thought, killed himself with his gun, has no relatives in this colony and he was appointed by judgment rendered yesterday official curator to the said Andre Servinien, who is no more, his body having been carried off during the night between the eighteenth and the nineteenth, as he heard through public rumor.

Interrogated if he knew for what cause for which the said soldier killed himself,

He answered that he knows nothing of it, but, that as the said soldier was of unsound mind, having spells of anger, fury and frenzied passion, it is not surprising that he took this occasion to kill himself.

Interrogated if he had sometimes seen him in his spells he answered that he had not but that he had heard his Comrades say that he was a lunatic and that they had often reprimanded him for this cause, but that he could not understand reason when his fury took possession of him.

Interrogated if he had not heard that he had had some disagreement with one of his comrades who might have taken this occasion to kill him,

He answered that he had not and that he does not think that any of his comrades killed him as they avoided him on account of his frenzies, that he often went out of his way for that purpose, and that it was particularly when he had drunk and even after his wine had finished working he was more of a lunatic than previously.

Interrogated if he had anything personal to say concerning the charge against or the discharge of Servinien's memory, he answered that he has nothing else to say unless it be that he was a lunatic and that his act was caused, in his opinion, more by insanity than by despair, all the more so since it appeared from the testimony that he spoke only of killing his father and him-

self afterwards and that he had even tried to stab himself in the stomach with a knife, which his comrades often prevented.

The present interrogation having been read to him he said that his answers are the truth, he persisted thereon and signed: "Cecile".

"Raguet".

Let it be communicated to the Attorney General of the King. At New Orleans, May 4, 1752.

Signed: "Raguet"

7. Confrontation of Witnesses Heard Against Servinien.

April 21, 1752.

Confrontation conducted by us, Jean Baptiste Raguet, Councillor of the King, in his Superior Council of the province of Louisiana, Commissioner appointed on this case, on request of the Attorney General of the King, plaintiff and accuser against the memory of one Andre Servinien, so-called La Rochelle, a soldier of a company of detached troops of the Marine maintained in this colony, accused of having taken his life, of the witnesses who testified at the inquiry conducted by us on the eighteenth of the present month, and this in execution of our sentence of the nineteenth of the present month, in which confrontation we proceeded as follows:

On April twenty-first, one thousand seven hundred and fifty-two, at three o'clock in the afternoon, appeared before us Pierre Cecille, Curator appointed to the memory of Andre Servinien, so-called La Rochelle, a soldier of Benoist's company, a detached troop of the Marine maintained in this colony, at present garrisoned in this city, charged with having committed suicide, with whom we confronted Joseph Odoy, a soldier of the said company, first witness at the inquiry, and after the curator as well as the witness had been sworn to speak the truth and challenged to say if they knew each other, said viz:

The said Curator that he does not know the said witness, and the said witness that he knows Pierre Cecille by sight as a resident of this city. After which we ordered the clerk of the said Council to read the first articles of the testimony of the witness stating his age, profession and residence and his declaration that he is not related to the said accused, nor to the said Curator. The Curator being challenged, as such, to state any

objection to the testimony of the said witness immediately, or that in default of so doing no exception will be considered after testimony and re-examination shall have been read to him as per ordinance which we made him understand;

To which the said Curator answered that he had no objection to make against the said witness no more than the said witness against the said Curator.

This done we had the testimony and re-examination read to the said witness in presence of the said Curator for the accused, the said witness said that his testimony was the truth and thus maintained to the said Curator, and that he meant to speak of the accused in his testimony and re-examination, and persisted therein, and the said Curator said that he did not take exception to the witness's testimony and believes it to be the truth.

The present confrontation being read to the said Cecille, Curator, and to the said witness, each persisted in what he had said and the said Curator signed, but not the said witness, who declared that he did not know how to write nor sign, whereupon inquiry as per ordinance.

Signed: "Cecile".

"Raguet".

Then appeared before us, in presence of the Curator, Jean Louis Rabideau, a soldier of Benoist's company, second witness testifying at the said inquiry and after the said Curator as well as the said witness had been sworn to speak the truth, and challenged to say if they knew each other, they said that they were not acquainted but that they both knew the said suicide, after which we ordered our clerk of Council to read the first articles of the testimony of the said witness stating his name, profession and residence and his declaration that he is neither a relative, a connection, attendant nor servant of said accused, and the Curator being challenged to state any objections to said witness immediately, otherwise, and in default of so doing, none would be accepted after the testimony and re-examination were read to him as per ordinance, which we gave him to understand.

To all of which the said Curator and the said witness answered that they had no objections to make to each other, in any way whatsoever.

This done we read the testimony and re-examination of the said witness, in presence of the said Curator, the witness saying that his testimony is the truth and thus maintained it to the said

Curator and that it was of the accused he meant to speak in his testimony and his re-examination and therein persisted.

To which the said Curator answered that he thinks that all that the said witness said is the truth as well as himself in his interrogation, knowing the said accused as a man often unsound of mind and a lunatic and the said witness said that he thought the same.

The present confrontation being read to the said Curator and to the said witness both persisted therein in what concerned each and the said Curator signed, but not the said witness, who declared that he did not know how to write nor sign, whereupon inquiry as per ordinance. Signed: "Cecile".

"Raguet".

Then appeared before us, in the presence of the said Curator, Andre Desjardins, a soldier of Benoist's company, the fourth witness testifying at the said inquiry and after the said Curator as well as the said witness had been sworn to speak the truth, challenged to say if they knew each other, they said they knew each other very well, namely that the Curator knew Desjardins to be a soldier of Benoist's company and the said soldier, knew the said Cecile, Curator, to be a resident of this city, and that they had both known the said Andre Servinien, so-called La Rochelle accused of having killed himself, to be a soldier of Benoist's said company, after which we ordered the clerk of the Council to read the first articles of the testimony of the said witness stating his name, profession and residence and his declaration that he is not a relative, a connection nor a servant of the said accused and we challenged the said Curator to state immediately any objection against the said witness, otherwise, and failing to do so at this moment none will be accepted after his testimony and re-examination shall have been read to him as per ordinance which we made him understand.

To which the said Curator and the said witness said that they had no objections to make to each other.

This done we had the testimony and the re-examination read to the said witness, in the presence of the said Curator; the said witness, said that his testimony and re-examination are the truth and thus maintained to the said Curator, and that it was really of the accused that he meant to speak in his testimony and re-examination and persisted therein.

To which the said Curator answered that he had naught to answer and that he thinks that the said testimony of the said witness is just.

The present confrontation and testimony being read to the said Curator and to the said witness, each persisted therein in what concerned him and the said Curator signed, but not the said Desjardins, witness, who declared that he did not know how to write nor sign, whereupon inquiry as per ordinance.

Signed: "Cecile"

"Raguet".

Next appeared before me, above mentioned Commissioner, in the presence of the said Cecille, Curator, one Pierre Filhev, third witness testifying at the said inquiry, and after the said Curator and witness had been sworn to speak the truth, challenged to say if they knew each other they said they knew each other very well, as they also knew the said Andre Servinien, so-called La Rochelle to be a soldier of Benoist's company.

After which we ordered the clerk of the Council to read the first articles of the testimony of said witness, containing his age, profession and residence and his declaration that he is neither a relative, a connection nor a servant of the said accused nor of the said Curator.

We challenged the said Curator, as such, to state immediately any objection he might wish to make, otherwise, and in default of so doing at this moment, none will be accepted after the testimony and the re-examination shall have been read to him as per ordinance which we made him understand.

To which the said Curator and the said witness said that they had no objections to offer each other in any way.

This done we read the testimony and the re-examination of the said witness in the presence of the said Curator, the witness said that his testimony and re-examination are true and thus maintained to the said Curator, and that it is really of the accused he meant to speak in his testimony and re-examination and therein persisted.

And the said Curator answered that he believed all that the said witness had said in his testimony and re-examination to be true.

The present confrontation being read to the said Curator and to the said witness, each persisted in what concerned him and the

said Curator signed, but not the said witness, who declared that he did not know how to write nor sign, whereupon inquiry as per ordinance

Signed: "Cecile".

"Raguet".

8. Conclusion of the Attorney General.

May 5, 1752.

*The Attorney General of the King plaintiff and accuser
against*

*The Memory of one Andre Servinien, accused of having
suicided by shooting himself.*

Before us, Commissioner on this case, all the proceedings of this prosecution instituted by us, the whole examined, my opinion is, without prejudice to yours, Gentlemen, that the memory of the said Servinien, so-called La Rochelle, a soldier of this garrison, be discharged of the accusation, inasmuch as the testimony of the witnesses in this affair shows that the accused was often unsound of mind, getting into extraordinary furies, so far as wanting to kill himself and even threatening to kill his father, and that, during the whole morning of the day on which he shot himself, he had shown signs of his fury and insanity.

At New Orleans, this fifth of May, 1752.

Signed: "Raguet".

On reverse of document:

"To Mr

Mr Raguet, Councillor,

Police Judge

At New Orleans.

9. Interrogation of Curator in Open Court.

Criminal Session of the Superior Council,

May 6, 1752.

Paraphed

MICHEL

May 6, 1752.

*Interrogation of Curator to Memory of Servinien, so-called
La Rochelle.*

Where were assembled Messrs de Vaudreuil, Governor; Michel, Commissary General of the Marine, Intendant and First Judge; Sieur and Councillor de Membrede, Major of New Orleans;

Raguet, Councillor; Le Breton, de Lalande, Kernion and Lafreniere, Councillors assessors.

On information of the Attorney General of the King against the memory of Andre Servinien, so-called La Rochelle, a soldier of Benoist's company, accused of having committed suicide, and also Pierre Cecille, Curator appointed to the memory of the said accused.

Before us the criminal prosecution extraordinarily instituted against the said Servinien: The Council has ordered that the said Pierre Cecile, Curator, be cited to be interrogated. This done, after he had sworn to speak the truth, we interrogated him on his age, qualifications and residence.

He said that he was named Pierre Cecile, inhabitant of this city, aged forty-five years, professing the Catholic, Apostolic and Roman religion and that he has been appointed Curator to the memory of Andre Servinien.

Signed: "Michel".

Michel.—First Judge Conducts the Examination:

Interrogated if he knows anything besides what was asked in his interrogation, he said he had nothing else to say but what he had answered.

Interrogated if it is true that the accused said that he wished to kill his father, he answered: Yes, that he had truly heard him say in his folly that if he returned to France he would kill his father and that he had even tried to kill himself several times.

The present interrogation being read to him, he said that it is the truth, persisted therein and signed: "Cecile", "Vaudreuil", "Michel", "D'Auberville", "Delalande", "Huchet de Kernion", "Le Bretton".

10. Final Judgment.

Criminal Session, May 6, 1752.

Paraphed
MICHEL

*Judgment of Absolution of Memory of Servinien, so-called
La Rochelle.*

Were present Messrs de Vaudreuil, Governor; Michel, Commissary General of the Marine, Intendant (Ordonnateur) and First Judge; Dauberville, Commissary of the Marine, second Councillor; de Membrede, Major of New Orleans; Raguet, Coun-

cillor ; Le Bretton, Delalande, Kernion, and Lafreniere, Councillors assessors.

On demand of the Attorney General of the King, plaintiff and accuser against

One Andre Servinien, so-called La Rochelle, a soldier of Benoist's company, deceased and accused of having blown off his head with his gun,

And Pierre Cecille, resident, appointed curator to the memory of said accused :

Before us the proces verbal of the inquest held at the place where he killed himself, by the Attorney General, accompanied by the clerk of the Council on the seventeenth of last April,

The petition presented by the said Attorney General of the King and the order below it granting permission to prosecute criminally the assassination or homicide before M. Raguet, Councillor,

Appointment of Curator to corpse, and inquiry, re-examination, interrogation and confrontation the whole on date of the eighteenth of the said month,

Inquiry of the said day of four witnesses who testified, the appointment of Pierre Cecille, a resident, as curator to the corpse on the nineteenth of the said month, the curator being sworn on that day,

Interrogation of Pierre Cecille, curator, on the twentieth of the said month,

Re-examination of the witnesses on the said day,

Confrontation of the said witnesses who testified at the said inquiry with Pierre Cecille, curator, on the twentieth of the said month,

The proces verbal of the removal of the corpse of the nineteenth of the said month,

The conclusions of the Attorney General of the King on this day, the whole seen and examined, the Council has rendered a decision, resulting from the inquiry that the said Andre Servinien, so-called La Rochelle, was not sound of mind, being a lunatic, and subject to fits of fury, has discharged his memory of the said charge.

Given in the Council Chamber, May sixth, one thousand seven hundred and fifty-two.

Signed: "Vaudreuil". "Michel". "D'auberville". "Delalande". "Huchet de Kernion". "Raguet". "Le Bretton".

ORIGINAL TEXT.

Proces Verbal of Judicial Visit to Corpse of Suicide.

17^e avril 1752.

Original Text:

Proces verbal of judicial inquest of Attorney General Fleuriau and Clerk Henry upon the suicide of Andre Servinien.

Lan mil sept cent cinquante deux le dix septieme jour d'avril dix heures du matin nous Francois Fleuriau, Procureur General du Roy, au Conseil Superieur de la Province de la Louisianne sur lavis qui nous a été donné par le Sr. Francois Simare de Bellisle, garçon major des troupes en cette ville quil y avoit un soldat dans le quartier des cazernes du coté de lintendance qui s'etoit cassé la teste dun coup de fusil. Nous nous sommes transportés dans les quartier ou etant entré dans la première cour accompagné du Greffier du Conel Lon Nous a conduit dans une autre petite cour ou etoient les latrines avons vu un cadavre etandu sur le dos avec son fusil entre les jambes at un mauvais couteau a la gachette du dit fusil, lequel est soldat Lon Nous a dit sapeller Andre Servinien dit La Rochelle, soldat de la Compagnie de Benoist ayant tout le crane enlevé et la cervelle sautée plus d'a un pas de distance de sa teste et avons vu des marques de balles contre le mur du dit endroit, ce qui nous a fait juger que led, soldat sest cassé la teste etant debout le canon aparement appuyé contre le front et se Sera servy de son pied pour faire lacher la gachette du fusil ledt fusil encore etendu entre ses jambes, ensuite de quoy avons ordonné de le faire transporter dans Lhopital Royal de cette ville pour le faire sollar et instruire le proces audt cadavre a notre requete et avons dresséle présent proces verbal pour servir et valloir a ce que de raison a la Nouvelle Orleans les susdits jour mois et an.

Fleuriau.

Henry Greff (paraphe).

No. 2.

N°. 1303.

Information.

Information Sur le Suicide du Nommé André Servinien.

Information faite par nous Jean Bte Raguet Conseiller du Roy au Conseil Superieur de la Province de la Louisianne a la

requete de Monsr Le Procureur General du Roy demandeur et accusateur contre la memoire du soldat nommé André Servinien did La Rochelle accusé de setre omicidé et détruit dun coup de fusil dans la teste, a laquelle information avons procédé ainsy quil ensuit tant des vies et moeurs du dit soldat que de son omicide.

Du dix huit Avril mil sept cent cinquante deux trois heures de relevée

Joseph Odoz soldat de la Compagnie de Benoist en garrison en citte ville agé de vingt six ans professant la religion Catholique apostolique et Romaine, lequel a pris serment par luy presté de dire verité a déclaré n-etre parent allié ny domestique des parties et quil a eté assigné a ce jour pour déposer verité a la requete de M. Le Procureur Général du Roy suivan leexploit dassignation quil nous a representé

Deux^e—Dépose sur les faits mentionnés en la plainte de M. Le Procureur General du Roy dont luy avons fait faire lecture que le nommé La Rochelle soldat de so Compagnie et de leur chambrée hier au matin sur les huit a neuf heures du matin se tua luy meme avec son fusil aux commodités, que luy meme déposa sur ee quoy lon luy did fut le voir en raison de chercher de leau au fleuve et le trouva mort, qu'une heure avant que ce coup arriva ce meme soldat avoit pris un couteau en disant quil vouloit se détruire luy meme que tous les jours sitost quil etoit un peu pris de boisson ou quil avoit bu in fillet il etoit dans des coleres terribles disant toujours quil se tueroit a coups de couteau que luy et ses camarades ont souvent empêché ses furies et ses transports et ses violences, que meme dans ses grandes furies il menacoit de tuer son pere, que par toutes ses violences et son mauvais caractere il ne la jamais voulu fréquenter et quil se peut que quelque fois son esprit fut ecarté quil ne la jamais assez connu pour en juger au juste, qui est tout ce quil a dit scavoir lecture a luy faite de la présente déposition a dit icelle contenir verité y a persisté et déclaré ne scavoir ecrire ny signer de ce enquis suivant lordce.

Raguet

Henry Greff.

Trois^e—Jean Louis Rabigou soldat de la Compagnie de Benoist en garrison en citte ville, agé de vingt cinq ans, professant la religion Catholique, apostolique et Romaine lequel apres serment par luy presté de dire verité a déclaré n'etre parent, allié ny domestique des parties et quil a eté assigné a ce jour déposer verité

a la requete de M. Le Procureur General du Roy suivant l'exploit d'assignation quil nous a representé et dépose sur les faits mentionnés en la plainte de M. Le Procureur General du Roy dont luy fait faire lecture quil a connoissance que le nommé Servinien did La Rochelle soldat de la meme compagnie lequel sest tué hier au matin avec son fusil se mettoit fort souvent dans des coleres et des furies extraordinaires et prenant meme un couteau pour se le porter dans lestomac et jurant et reniant dieu jusqu'a faire sortir du sang avec son couteau de son estomac, ce qui a plusieurs fois fait frémir luy déposant quil lempeschoit de se détruire, que les camarades de la chambre lont aussy empesché de se détruire que souvent il juroit et tempestoit contre son pere disant quil ne luy pardonneroit jamais quil croit que quand cet homme avoit bu quelques fillets il avoit l'esprit égaré et que luy et ses camarades le disoient qui est tout ce quil a dit scavoir lecture a luy faite de sa déposition adit quelle contient veérité y a persisté a signé et na requis salaire.

W Rabigou

Raguet

Henry Greff

Pierre Filhev soldat de la Compagnie de Benoist agé de vingt trois ans professant la religion Catholique, apostolique et Romaine lequel apres serment par luy presté de dire verité a déclaré n'etre parent allié ny domestique des parties et quil a et assigné a ce jour pour déposer verité a la requete de M. Le Procureur General du Roy suivant l'exploit d'assignation quil nous a représenté.

Cinq—Dépose sur les faits mentionnés en la plainte de M. Le Procureur General du Roy dont luy avons fait faire lecture quietant de la chambre du nommé Servinien dit La Rochelle soldat qui sest tué hier au matin dun coup de fusil le dit La Rochelle se mettoit dans des furies et transports de folie en disant toujours quil se perdrait et détruiroit luy meme et son pere aussy, quil ne luy pardonneroit jamais ce quil luy avoit fait, que souvent il prenoit un couteau pour se le porter dans le corps que souvent luy et ses camarades len ont empesché et que comme ce n'toit pas un homme sociable et quil navoit point de bonnes raisons luy et ses camarades ne le frequentoient point, quils ont toujours cru quil avoit quelque chose dans l'esprit qui l'egarait, qui est tout ce quil a dit scavoir lecture a luy faite de la présente déposition a did icelle

contenir vérité y a persisté et a déclaré ne scavoir écrire ny signer de ce enquis suivant lordonnance et n'a requis salaire.

Raguet

Henry Greff

Andre Desjardins soldat de la Compagnie de Benoist en garrison en cette ville agé de quarante cinq ans professant la religion Catholique, apostolique et Romaine lequal apres serment par luy presté de dire vérité a déclaré netre parent allié ny domestique des parties et quil a été assigné a ce jour pour déposer vérité a La requete de M. Le Procureur General du Roy suivant l'exploit d'assignation quil nous a representé.

Six^e—Dépose sur les faits mentionnés en la plainte de M. Le Procureur General du Roy suivant l'exploit d'assignation quil et dont luy avont fait lecture que le nomme Servinien dit La Rochelle soldat de leur compagnie et de leur chambrée se tua hier au matin sur les huit a neuf heures avec son fusil en se cassant la teste, qu'une heure avant cela il avait voulu se tuer avec un couteau et le jetta, que plusieurs fois il avait voulu se tuer et se détruire a coups de couteau, qu'il luy a apparu a luy et a ses camarades que cet homme la avoit l'esprit egaré, que meme etant a la cantine avec ses camarades il alloit de table en table prendre les bouteilles et buvant comme un fou, qu'il se mettoit en colere en jurant qu'il se detruiroit luy et son pere, et toute so mauvaise conduite le faisoit souvent mettre en prison, qu'il étoit sy peu sociable que luy déposant ny aucuns camarades ne vouloient point faire société ensemble avec luy, qui est tout ce quil a dit scavoir.

Raguet (paraphe)

Sept^e—Lecture a luy faite de la présente déposition a dit icelle contenir vérité y a persisté et déclaré ne scavoir ecrire ny signer de ce enquis suivant lordce.

Raguet (paraphe)

Henry Greff (paraphe)

No. 3.

No. 1304. Original Text:

*Proces Verbal d'Enlevement du Cadavre de Servinien dit
La Rochelle.*

19 Avril 1752.

L'an mil (1) sept cent cinquante deux le dixneuvieme (1)
avant midy pardevant nous Jean Baptiste Raguet, Conr du Roy au

Conseil Supérieur de la Louisianne Commissaire en cette partie est comparu M. Le Procureur General du Roy lequel nous a dit quil vient daprendre que la nuit derniere ont avoit enlevé le corps du nomme André Servinien dit La Rochelle soldat de cette garnison qui etoit déposé dans une cabanne de Lhopital du Roy de citte ville—et contre la mémoire duquel il poursuivoit le proces criminel pour le faire punir comme homicide de luy meme suivant la rigueur des ordonnances du Roy—pourquoy il requiert de nous transporter avec luy et le Greffier aud hopital pour nous informer du fait et en dresser proces verbal surquoy et a l'instant nous etant transportés aud. Hopital ou y etant nous aurions demandé au nommé Baptiste et a deux Jeunes Gens apprentis churrgiens dun nommé chastang et lautre dupon de nous montrer la cabanne ou etoit déposé le cadavre en question lesquels nous auroient dit que ce cadavre auroit été enlevé sans doute la nuit derniere puisqu'il etoit hier au soir dans la de Cabanne dans une caisse ou ils lavoient sollé depuis deux jours (quils) (1) ne scavent ny nont aucune connoissance qui a pu faire cet enlevement puisqueux ne couchent point a (Lhopital) (1) ensuite nous (1) nous sommes transportés a la cour (1) dudt hopital ou est construit lade cabanne et apres avoir visité partout nous ny avons trouvé aucune fracture ny rupture ayant pareillement visité la cloture qui entoure lade cour nous ny avons rien vu de dérangé, et dans l'instant sont intervenues deux Religieuses Ursulines les quelles ont soin dudt hopital et des malades dont lune nommée Magdelaine et lautre Saint Xavier qux quelles avons demandé sy elles avoient connoissance de l'enlevement du corps en question, elles nous ont dit nen avoir aucune attendu quelles etoint rentrées et couchées dans leur monastere, que seulement ce matin sur les quatre a cinq heureson leur raporta que ce corps ny etoit plus et que lon lavoit sans doute enlevé la nuit pendant le mauvais temps quil a fait par la pluye et tonnerre qui est tout ce que nous avons pu decouvrir au sujet du dit enlevement, de tout quoy avons dressé le présent process verbal pour servic et valoir ce que de raison, le malades nous ayant meme did quils navoient rien aperçu, fait a Lhopital le susdt jour mois et an.

Raguet

Fleuriau

Henry Greff (paraphe)

(1) missing in text and supplied: neufi (eme) Lh(opital) (ensuite nous) (a la cour).

No. 4.

Original Text:

No. 1305.

Nomination d'un Curateur à la Mémoire du Nommé Servinien dit La Rochelle.

19 Avril 1752

Vu par Nous Conseiller Commissaire en Cette Partie La Plainte portée par Mr Le Procureur Général du Foy Contre le Nommé andré Servinien dt La Rochelle soldat En datte du dix huit du présent, Lordonnance de Monsieur Michel Conr du Roy en ses Conseils Commissaire Général de la Marine Ordonnateur à la Louisianne au bas de la ditte Plainte, dudit Jour, Les Conclusions de Mr Le Procureur Général du Roy Nous Commississaire susdt attendu que ledt Servinien homicide Na aucuns parents En Cette Colonie, avons Nommé doffice pour Curateur a sa mémoire Le Momme Pierre Cecille habitant de cette Colonie Lequel sera assigné Pardevant Nous pour accpter la dte Charge et prester serment Donné a La Nouvelle Orleans Le dix neuf avril mil sept cent Cinquante deux du matin.

"Raguet"

"Henry, Greff" (paraphe).

Lan Mil Sept Cent Cinquante deux Le dixneuvieme Jour d'avril deux heures de Revelevée Est Comparu Pardevant Nous Commissaire susdit Et soussigné Le Nommé Pierre Cecille habitant Demeurant En cette Ville de la Nlle Orleans Curateur par Nous Nommé doffice au Cadavre et a La Memoire du nommé André Servinien, dit La Rochelle soldat En garnison En Cette Ville a Effet du proces Criminel qui sera Extraordinairement instrut par Nous a la Requete de Mr Le Procureur General du Roy Lequel Cecille Cy présent a Volontairement accepté lade Charge de Curateur Et a fait ser ment De Bien Ed fidellement defendre La mémoir dudit Servinien dont acte Et a signé Les susds Jour, mois Et an p. cecile

Raguet

Henry, Greffier (paraphe)

No. 5.

No. 1306

Original Text:

20 avril 1752

Recolement

Recollement de temoins entendu Contre Servinien

Lan Mil Sept Cent Cinquante deux Le Vingtieme Jour du mois d'avril de Relevée Pardevant Nous Jean Baptiste Raguet

Conr au Conel Superieur de la Louisianne Est Comparu Mr Le procureur général du Roy Lequel Nous a dit quen Execution de notre ordonnance dud jour au matin Il a fait assigner Le Nommé Joseph Odoï, Jean Louis Rabidou, Pierre filhev et Andre Desjardins soldats de la Compagnie de Benoist troupes détachées de la marine Entretienue en cette Colonie, et Témoins ouy en Linformation premiere faite a San Requete Le dixhuit du présent mois Contre Le Nommé André Servinien dt La Rochelle, soldat de lade Compagne accusé de Sestre Cassé La tete avec son fusil pour estre Récolles en Leur depositions par Exploit de Le Norman huis-sier audiancier de ce jour Lequel Il nous a représenté et requis quil put procéder au Recollement des Temoins,

Surquoy avons donnée acte a mond Sr. procr General du Roy de sa Comparution due et requisition et ordonné quil sera par nous présentement procédé au Recollement des Témoins et Sest mond Sieur procr Général du Roy retiré,

Et a Linstant Est Comparu Joseph Odoï soldat de la Compagnie de Benoist premier témoin ouy en Linformation par nous faite a la requetede mond Sieur Le procr General, auquel Odoï apres serment par luy fait de dire vérité avons fait faire Lecture de la déposition par luy faite en la dte Information et apres Lavoir ouy a dit quelle est Véritable my veut agumenter ny diminuer et quel y persisté Lecture a luy faite du présent Recollement y a aussy persisté et déclaré ne Scavoir Ecrire ny signer dece Enquis suivant Lordce

Raguet

Henry, Greffier (paraphe)

Est aussy Comparu Jean Louis Rabidou Soldat de la Compagnie de Benoist en garnison en cette Ville deuxieme témoin ouy a la dte Information Auquel apres le serment par luy fait de dire vérité avons fait faire Lecture de la déposition par luy faite en ladte Information et apres Lavoir ouy a dit quelle est véritable ny veut augmenter ny diminuer et quil y persisté Lecture a luy faite du présent Récollement y a aussy persisté et déclare ne Scavoir Ecrire ny signer dece Enquis suivant Lordonnance, et a signé Ensuite

Raguet

J. L. Rabigou

Henry Greff. (paraphe).

Est aussy Compary Pierre filhev soldat de la Compagnie de Benoist en garnison en cette Ville troisieme temoin ouy en ladte Information apres serment par luy fait de dire Vérité avont fait

fre Lecture de la déposition par luy faite en ladte Information et apres Lavoir ouy a dit quelle est veritable dans tout son contenu et quil na rien a y augmenter ny diminuer et quil y peristé Lecture a luy faite du présent Récollement y a aussy persisté et déclaré ne scavoir Ecrire ny signer dece Enquis suivy Lordce.

Raguet

Henry Greff. (paraphe).

Est aussy Comparu Andre Desjardins soldat de la Compagnie de Benoist en garnison en cette Ville Quatrieme temoin ouy en ladte Information auquel apres serment par luy fait d dire Verite avons fait fre Lecture de la deposition par luy faite en ladte Information et apres Lavoir ouy a dit quelle est veritable dans tout son contenu et quil na rien a y augmenter ny diminuer et il y persiste Lecture a luy faite du present Recollement y a aussy persiste et declare ne scavoir Ecrire ny signer dece Enquis suivy Lordonnance.

Raguet

Henry Greff. (paraphe).

No. 6.

20 avril 1752

No. 1307.

Original Text:

Interrogatoire du Curateur de Servinien.

6^e pag

Lan Mil Sept Cent Cinquante deux Le Vingtieme Jour du mois dAvril—Pardevant Nous Jean Baptiste Raguet Conr du Roy en son Conseil Supérieur de la Province de la Louisianne Commissaire Nommé en cette partie Etant au Greffe du Conseil Superieur de la dte province Est Comparu le Nommé Pierre Cecille habitant en cette ville Curateur par nous Nommé doffice a la Mémoire du Nommé Andre Servinien dt La Rochelle soldat dune des Compagnies de troupes détachées de la Marine Entretienue en cette Colonie Lequel Sest homicidé et le dt Curateur nous adit quil est pret et offre de subir LInterrogatoire sur les faits résultant des Informations par nous faite a la requete du procr général du Roy contre la mémoire dud Andre Servinien Requerant quil nous plaise luy donner acte de sa Comparution et procéder a son Interrogation et a signé avant midy

Cecile

Surquoy nous avons donné acte aud Pierre Cecille aud Noms de sa Comparution et Requisition cydessus et ordonné ql sera par nous procédé tout présentement a LInterrogatoire dud Curateur,

Et a l'instant les Pierre Cecille a preté serment de repondre vérité sur les faits sur lesquels Il nous plaira LInterroger

Ce fait Lavons interrogé de son age qualité et demeure A dit que son nom est Pierre Cecille habitant en cette Ville y demeurant ordinairement agé de quarante cinq ans Environ professant la Religion Catholique apostolique et Romaine

Interroge si Scait par lequel il a ete Nomme Curateur en cette occasion ;

a Répondu que comme le Nommé Andre Servinien soldat dune Compagnie de troupes détachées de la marine a ete trouvé dans Lendroit ou il y avoit autrefois des Latrines et dans Lun des corps de la caserne Lequel on Croit quil sest tué Luy mesme avec son fusil, Na aucun parent En cette colonie Il a été nommé par sentence du jour dhier Curateur doffice a la mémoire du d Andre Servinien Lequel Nest plus Estant son cadavre ayant été Enlevé le nuit du dixhuit au dix Neuf suivant quil a appris par le bruit public

Interrogé sil scait Le sujet pour lequel ledt soldat se déduir,

a Répondu will nen scait rien mais que Comme led soldat Etoit frapé dSsprit et ayant souvent des Vertiges de Colere de furie Et transport Il nest point Etonnant quil se soit servy de ce moment pour se détruire

Ragt

Interrogé sil la vu quelquefois dans ses vertiges a Répondu que non mais quil a oüy dire a ses Camarades de Chambree quil y étoit fou sujet et mesme souvent ils lont réprimé a cet effet mais quil nétoit pas capable dentendre raison quand ses fureurs le prenoit, Interrogé sil na point ouy dire quil eut quelques mesintelligences (2) avec quelquun de ses Camarades qui auroit pu se servir de ce moment pour Lavoir tué a Repondu que non et quil ne Croit pas quaucun de ses Camarades Lay fait parcequils Le fuyoient a Cause de ses frénésies qui luy prenoient souvent et surtout quand il avoïd bu et mesme apres avoir Cuvé son vin ou son Esprit etoit plus aléné quauparavant

Interrogé sil na rien a dire de luy mesme tant a la Charge que ala décharge de la Mémoire dud Andre Servinien, a Répondu navoir rien autre Chose a dire sinon qu'il avoit LEsprit dun aliéné

et que de desespoir, que depuis quil a vu par la déposition de Témoins quil ne parloit que de tuer son peré et de se tuer ensuite que mesme il avoit essayé de se donner Luy mesme des Coups de Couteau dans LEstomac Ce que ses Camaradesont souvent Empesché. Lecture a luy faite du présent Interrogatoire dit que ses Réponses Contiennent vérité et quil y persiste et a signé cecile

Raguet

Soit Communiqué a Mr Le procureur gñal du Roy a la Nouvelle Orleans 4 de May 1752

Raguet

21^e avril 1752

No. 1308

No. 7.

Pre pag

Original Text:

Confrontation des Témoins ouïs Contre Servinien.

Confrontation faite par Nous Jean Baptiste Raguet Contr du Roy en son Conel Supérieur de la province de la Louisianne Commissaire Nommé en cette partie a la Requete du procureur général du Roy demandeur et accusateur Contre du Nommé Andre Servinien dt La Rochelle soldat dune Compagnie de troupe détaché de La Marine Entretienue en cette Colonie accusé de sestre détruit des témoins ouïs en Linformation par nous faite le dixhuit du présent mois et en Exécution de notre sentence du dixneuf de ce présent mois alaquelle confrontation nous avons proéde ainsy quil Ensuit

du Vingtun Avril Mil Sept Cent Cinquinte deux
trois heures de Relevée

Ceprouvé un mot Interligné (paraph de Raguet).

Est Comparu pardevant ous Pierre Cecille Curateur ommé a la mémoire de Andre Servinien dt L Rochelle Soldat de la Compagnie de Benoist troupe détaché de la Marine Entretienue en cette Colonie de présent en garnison en cette ville accusé de sestre homicidé Auquel avons Confronté Joseph Odoy soldat de lad Compagnie premier témoin de Linformation et apres serment fait Tant par led Curateur que par les Témoins de dire Vérité et Interpellé de dire sils se Connoissoient, Ont dit Scavoir led Curateur quil ne Connoit pas led Temoin et led Temoin quil Connoit de vue Pierre Cecille pour habitant en cette Ville

Après quoy avons fait faire Lecture par le Greffier dudt Conel des premiers articles de la déposition du Témoin contenant son age qualité et demeure et sa déclaration Comme il nest point parent dud accuse non plus que dud Curateur, et Interpellé led Curateur en saqualité de fournir Tout présentement reproche contre led Temoin sinon et a faute de le faire quil ny sera plus recu apres que Lecture luy aura ete faite de sa déposition et recollement suivant Lordonnance que Luy avons donné a entendre, A quoy led Curateur a Repondu navoir aucun reproche a fournir Contre led Témoin non plus que led Témoin aud Curateur.

Ce fait Nous avons fait fre Lecture de la déposition et Recollement desd Témoin en présence dud Curateur accusé Lequel Témoin a dit que la déposition est véritable et La ainsq Soutenu aud Curateur et que cest bien Laccusé quil a Entendu parler par sa déposition et Recollement et y a persisté ci par led Curateur a été dit quil narien a disputer aud Témoin et quil Croit sa déposition véritable,

Lecture faite aud Cecille Curateur et aud Temoin de la présente Confrontation Lesquels y ont persisté chacun a leur Egard et a led Curateur signé non led Témoin Lequel a déclaré ne Scavoir Ecrire ny signer dece Enquis suivant Lordce. Cecile Raguet

Est Ensuite Comparu en notre présence Le Curateur présent Jean Louis Rabideau soldat de la Compagnie de Benoist deuxieme temoin ouy en la dte Information et apres serment fait tant par led Curateur que par led témoin de dire vérité Interpellé de nous dire sils se Connoissoient ont dit ne se point Connoitre mais quils Connoissoient bien tous deux led accusé dhomicide apres quoy avons fait faire Lecture par notre Greffier du Conel des premiers articles de la déposition dudt Temoin Conteneant son Nom age qualité et demeure et sa déclaration commil nest point parent allié serviteur ny domestique dud accusé Et Interpellé Led Curateur de fournir tout présentement reproche Contre led Témoin sinon et a faute de la faire il ny sera plus recu apres que Lecture luy aura ete faite de sa déposition et Recollement suivant Lordonnance que nous luy avons donné a entendre,

A tout quoy led Curateur non plus que led Témoin ont dit Navoir aucun Reproche a ses faire Lun et Lautre en aucune facon

Ce fait avons fait faire Lecture de la déposition et Recollement Témoin en présence dud Curateur Lequel Témoin a dit que sa déposition est véritable La ainsy soutenue aud Curateur et que Cest delacusé quil a Entendu parler par sa déposition ainsy que par so Recollement et y a persisté,

Aquoy led Curateur a répondu quil pense que tout Ce que led Témoin a dit est véritable ainsy que Luy par son Interrogation quand Il a Connu Led accusé pour homme qui sortoit souvent de son bonsens Lequel avoit Lesprit tres aliéné et par led Témoin a été dit quil le pense aussy de mesme

Lecture faite aud Curateur et aud Temoin de la présente Confrontation et y ont persisté chacun En Ce qui les Concerne et a led Curateur signé non led Témoin Lequel a déclaré Ny Scavoir Ecrire ny signer de ce Enquis suivant Lordce. Cecile et a signe J L Rabigou

Raguet

Est Ensuite Comparu en présence du Curateur et Pardevant Nous Andre Desjardins soldat de la Compagnie de Benoist troisieme Témoin ouy en Ladte Information et apres serment fait Tant par led Curateur que par led Temoin de dire Vérité Interpellé de nous dire sils se Connoissoient ont dit se Connoitre tres bien Scavoir led Curateur Connoitre led Desjardins pour estre soldat de ladte Compe de Benoist et led soldat connoitre led Cecile Curateur Nommé pour estre habitant en cette Ville et quils ont tous deux Connu Led Andre Servinien dt La Rochelle accusé de sestre détruit pour estre soldat de lad Compagnie de Benoist, apres quoy avons fait faire Lecture par le greffier du conseil des premiers articles de la déposition du Témoin Contenant Son nomage et qualité et demeure et sa déclaration Commil nest parent allié ny serviteur dud accusé, et avons Interpellé led Curateur de fournir Tout présentement reproche Contre Led Témoin sinon et a faute de ce faire quil ny sera plus recu des que Lecture luy aura ete faite de sa déposition et Recollement Suivant Lordonnance que nous Luy avons donné a Entendre,

A quoy Led Curateur et led Temoin ont dit navoir aucun repoche a se faire Lun a l'autre

Ce fait avons fait faire Lecture de la déposition et Recollement dud Témoin en présence dud Curateur Lequel Témoin a dit que Sa déposition et Recollement sont véritables et La ainsy

soutenu aud Curateur et que Cest bien de laccusé quil a entendu parler par Sa déposition et Recollement et y a persisté

A quoy led Curateur a Répondu navoir rien ay Répondre et quil pense que Lad déposition dud Témoin Juste, Lecture faite aud Curateur et aud Témoin de la présente Confrontation y ont persisté chacun en Ce qui Le Concerne et a led Curateur signé Non led Desjardins Témoin Lequel a déclaré Ne Scavoir Ecrire ny signer dece Enquis suivt Lordce. cecile

Raguet

Est ensuite Comparu Pardevant Nous Commissaire susd en présence dud Cecille Curateur Le Nommé Pierre fuhev troisieme Témoin ouy en ladte Information et apres serment fait par led Curateur et Témoin de dire vérité, Interpellé de nous dire sils se Connoissent ont dit se tres bien Connoitre Comme aussy quils ont Connu led Andre Servinien d La Rochelle pour estre soldat de la Compagnie de Benoist;

Apres quoy avons fait faire Lecture par le Greffier du Conseil des premiers articles de la déposition dud Témoins Contenant son nom age qualité et demeure et sa déclaration Commil nest parent allié ny domestique dud accusé non plus que dud Curateur Avons Interpellé led Curateur de fournir Tout présentement Reproche silen a faire en sa qualité sinon et a faute de ce faire quil ny Sera plus lorsque Lecture luy aura ete faite de sa déposition et Recollement suivant Lordonnance que nous Luy avons donné a entendre,

A quoy led Curateur et Témoin ont dit de navoir aucuns Reproches a se faire en aucune facon,

Ce fait avons fait faire Lecture de la déposition et Recollement dud Témoir En présence dud Curateur Lequel Témoin a dit que Sa déposition et Recollement Sont Véritables et La ainsy Soutenu aud Curateur et que cest bien de laccusé quil a entendu parler par sa déposition et et Récollement et y a persisté,

Et a ete Repondu par led Curateur quil Croit Veritable Tout Ce qua did led Témoin dans sa déposition et Recollement.

Lecture faite aud Curateur et aud Témoin de la présente Confrontation y ont persisté chacun en ce qui Le Concerne et a led Curateur signé mais non led Témoin Lequel a déclaré Ne Scavoir Ecrire ny signer, dece Enquis Suivant Lordce. cecile

Raguet

No. 8.

Original Text:

Opinion of the Attorney General.

*Le Procureur Général du Roy demandr Et accusateur
Contre*

*La Mémoire du Nomme Andre Servinien accusé de sestre
homicidé dun Coup de fusil.*

Vu par Nous Commissaire En cette partye toutes les peces du
proces En question par Nous Instruit le tout Examiné

Mon avis Est sauf celui de Messieurs, que la mémoire dud
Servinien, dit La Rochelle soldat de cette garnison Soit déchargé
de Laccusation attendu quil paroît par la déposition des témoins
Entendus En cette affaire que laccuse Etoit Souvent En démence
d'Esprit; Se mettant dans des furies Extraordinaires jusqu'a
Vouloir Se tuer Et meme menacant de tuer son pere; et que lors
qu'il Sest donné Un Coup de fusil toute la matinée du meme jour, il
avoit donné des marques de sa furie et de ses folies.

A la Nouvelle Orleans ce cinqe may 1752.

Raguet.

Sur le reverse:

"A Monsieur

"Monsieur Raguet Conseiller

Juge de Police

a la Nlle Orleans"

No. 9.

Paraphé

MICHEL

6 Mai 1752

1311

Original Text:

Interrogatoire du Curateur ala Memoire du nomme Servinien dit
La Rochelle.

Audce Criminelle 6 Mai 1752

Ou étoient assemblé Messieurs de Vaudreuil Gouverneur Mi-
chel Commissaire General de la marine Ordonnateur et premier
Juge Dauberville Commissre de la marine Sieur et Conr demem-
brede Major de la Nlle Orleans Raguet Conr Le Breton delalande
Kxnion et lafreniere Cons assesseurs

A la Requete du proc général du Roy Contre la mémoire
d'Andre Servinien dt La Rochelle soldat de la Compagnie de

Benoist accusé de sestre homicidæ, en Encore Pierre Cecille Curateur Nomme a la mémoire dudit accusé

Vu la procédure Criminelle Extraordinairement Intenté Contre led Servinien,

Le Conseil a ordonné que ledt Pierre Cecille Curateur seroit mandé pour estre Interrogé Ce fait luy avon apres le serment par luy preté de dire vérité

Interrogé de son age et qualité et demeure,

A dit se nommer pierre Cecile habitant en cette ville agé de quarante Cing années professant La Religion Catholique apostolique et Romaine et quil a esté Nommé Curateur a la mémoire d Andre Servinien

MICHEL

MICHEL—Interrogé sil sé quelque chose de plus que son Interrogatoire

A dit navoir rien de plus a dire que ce quil a déjà Répondu

Interrogé sil est vray quil ait dit quil avoit Envie de tuer son pere

A repondu que ouy, quil luy a bien ouy dire dans Ces folies que sil retournait en france quil tueroit son pere et quil avoit mesme voulu se tuer plusieurs fois

Lecture a luy faite de presente Interrogation a dit quelle Contient verité y a perssté et signé

cecile

Vaudreuil

MICHEL

D'auberville

delalande

Raguet

huchet de Kernion

Le Bretton

No. 10.

Paraphé

No. 1312.

Jugement d'absolution de la memoire de Servinien dit La Rochelle.

MICHEL

Audience Criminelle du 6 May 1752

6 mai 1752

Ou Etoient Messieurs de Vaudreuil Gouverneur Michel Commssaire General de la Marine Ordonnateur et pr Juge Dauberville Comre de la marine second coner, de Membrede maor de la Nlle Orleans, Raguet Coner, Le Breton, delalande Kernion et Lafreniere Conss assessors.

A la requete du procr générale du Roy demandeur et accusateur Contre

Le Nommé Andre Servinien dt Rochelle, soldat de la Compagnie de Benoist troupes détachées de la Marine Entretenué en cette Colone deffunt et accusé de sestre homicidé Sestant cassé la tete avec son fusil

Et Pierre Cecille habitant Nommé Curateur a la mémoire dud accusé:

Vu le proces verbal de la descente sur les lieux ou il sestre tué pour le procureur général du Roy accompagné du Greffier en date du dixsept avril dernier

La Requete présentée par mon dit Sr Procureur general du Roy et lordonnance au bas portant permission de poursuivre criminellement Lassassinat ou homicide pardevant Mr Raguet Contr Nominaton dun Curateur au Cadavre et Information Recollement Interrogatoire et Confrontation Le tout en date du dixhuit dud mois

Information dud our de quatre témoins ouy

La Nomination de Pierre Cecille habitant Curateur au Cadavre en datte du dixneuf dudit mois prestation de serment aud Curateur de ce jour,

Linterrogatoire de Pierre cecille Curateur en datte du Vingtieme dud mois,

Le Recollement des Témoins dud jour

Confrontation des d Témoins ouy En lad Information aud Pierre Cecille Curateur du Vingtieme dud mois, Le proces verbal dEnlevement dud Cadavre du dixneuf dud mois

Les Conclusions du procr général du Roy de ce jour

Le tout Vu et Considéré Le Conseil a Rendu La preuve Résultante de LInformaton que led Andre Servinien dt La Rochelle soldat de la Compagnie de Benoist nétoit pas dans son bon sens ayant Lesprit aliéné et attaqué de furie, a déchargé sa Memoire de Laccusation en question

Donné en la Chambre du Consel Le sixieme May mil sept cent cinquante deux

Vaudreuil

Dauberville

MICHEL

delalande

Raguet

huchet de Kernion

Le Bretton

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA

No. XI (Continued from April Number)

Petition For Extension of Time. Dec. 10, 1728. Antoine Bonvilain by no means evades his debt to Mr. Kolly; only he is himself hampered on every side by outstanding accounts, and he begs a respite of six weeks. No note by Court.

Petition of Recovery. Dec. 11, 1728. Pierre Dreux claims 131 francs for beer that he furnished to the late Mr. Decour. Original account is given as 200 francs, on which 81 francs were paid. If so, net account should be 119 francs?

Notice served to Mr. Rossard, attorney.

Duplicated.

Petition Over a Misappropriated House. Dec. 11, 1728. Pierre Dreux smothers himself through a featherbed of wordy effort, in order to bring action against Mr. Rossard, attorney of vacant estates, on account of a certain house accredited to Clairfontaine (deceased), but really belonging to petitioner's former partner Cohendo, who returned to France leaving Clairfontaine in virtual possession, but subject to some provisos which the latter failed to fulfil. Let the house be adjudged as Cohendo's property.

Notice served to Mr. Rossard.

Decisions in Sundry Suits.

Dec. 11, 1728.

1. Mondreloy *vs.* De Manadé and wife. Seizure valid, and claim to be discharged.
2. Pieron, alias Vendome, *vs.* Baldic. Claim allowed.
3. Daniel Kolly *vs.* Pontvillain (Teutonism for Bonvillain). Claim allowed.
4. Aville *vs.* Jean Cariton. Jean in default. judgment for A.

1728-1737—Account of Labbe, farmer with the Company of the Indies for negroes and advances of money amounting

to \$7,520, verified by vouchers; calculations made in New Orleans, Nov. 19, 1737.

Petition of Recovery. Dec. 14, 1728. Arnaud Bonnaud moves for the citation of Mr. Kolli, to pay the sum of 1800 francs, due on his note of Nov. 15, 1727. Action allowed.

Petition to Recover Damages. Dec. 14, 1728. Charles de Morand claims what damages the Court will allow, from Coupard, carpenter for breach of contract, in the matter of finishing a certain house by the time agreed.
Notice served to Coupard.

Petition of Recovery. Dec. 18, 1728. Jacques Ozanne (signed: J. Ozanne) cooper of the Company, lent 3 Spanish dollars and 143 francs to the late Morel de Clairfontaine, as shown by notes adduced. The deceased left word in pressence of Mr. Tesson, that these debts were to be paid with a coat which is now in the hands of Langlois, tailor. Let the coat be delivered to J. O.
No note by Court.

Petition in Remonstrance. Dec. 18, 1728. George Tesson shows that he lent the late Mr. Morel de Clairfontaine 600 francs to build a house on lot No. 54; property duly mortgaged to G. T. but now claimed by Mr. Rossard, attorney for vacant estates. G. T. claims a further sum of 207 francs from Clairfontaine estate, on ground herein adduced. Let Mr. R. be nonsuited, and let G. T. have preferred credit.

Petition of Recovery. January 4, 1729. Sansfaçon claims a flour account of 271 francs from Durivage, and a further item of 55 francs due on a transferred note.
Action allowed, and word left with Madame D.

Petition in Remonstrance. January 7, 1729. René Boyer was partner with the late Mr. Clairfontaine in a tract of 12 acres (frontage) on the Mississippi. Mr. Rossard now seeks to appropriate two slaves therefrom to vacant estate. This would ruin R. B., and prevent him from settling his debts to the Company. Let R. B.

be secured in possession of land and the two slaves.
Action allowed.

Decisions in Sundry Suits.

January 8, 1729.

1. D'Auseville *vs.* Joffre. Arbitration report confirmed and its terms to be carried out. Otherwise, the case is further pending.
Costs reserved.
2. Meynard *vs.* Rossard. Goods to be sold in satisfaction of claim.
Costs divided.
3. Prevost *vs.* Rossard. Dismissed until adjustment of deceased LaSalle's accounts.
4. Sansfaçon *vs.* Durivage.
Deferred.

(Unsigned) *Extract From Report on Morillet Estate in Account with Mr. and Madame Dreux.* January 8, 1729. The "report" was charged by Mr. de Rochemore to make an amicable division of said estate's property. Failing to satisfy the contesting parties (Mr. and Madame Dreux in particular), he submits the points at issue to the Superior Council for adjudication. He also notes his own opinion for the said issues.

Composition of Creditors. January 9, 1729. Arrangements between Nicolas Bion; former employe of the Company, and his creditors. List of credits followed by remarks on the situation. Mr. Bion cannot meet his obligations in this country, where he is actually dependent on charity; but he is authorized to return to France where he hopes to recuperate. Further list, showing whom he promises to pay, and how much.

Array of signatures and marks.

Receipt. January 10, 1729. Lagarde has received of Port Captain Genet the sum of 1500 francs on account of the hire of negroes of DeChaumont grant. Reference to an agreement "between us and Monsieur de Chavanne."

Petition of Recovery. January 12, 1729. Pierre François Dejoux, surgeon claims 165 francs from Bourbeau.

Action allowed.

Memorandum of Supplies. Jan. 12, 1729. "Statement of the goods embarked, and omitted in my account, but entered on the books of the grant, in Paris, item for item. Mr. Kolly has refused to accredit me for the same until Mr. Dumanoir has rendered his accounts; although certain that I had furnished the goods." Total bill, 3890 francs, 13 sous. There follows a petition for the citation of Messrs. Drouet, attorney, and Kolly, partner in the grant, to pay the sum of 6000 francs to the writer, Faucon Dumanoir, both for capital and for his living expenses.

Action allowed.

Petition to Recover Sale Proceeds. Jan. 13, 1729. Mr. Rossard moves for the citation of Sieur Roger, employé, to pay 93 francs due on sale of some goods.

Action allowed.

Decisions in Two Suits

Jan. 15, 1729.

1. Dumainoir vs. Kolly.

Deferred.

Costs reserved.

2. René Boyer vs. Rossard. R. B. to retain the negroes. Costs divided.

Petition of Recovery. Jan. 18, 1729. Mr. Kolly seeks to collect an aggregate amount of 1460 francs and 13 sous from Sieur Massy, based on claims duly described. Action allowed.

Summons to Attend Hearing. Jan. 19, 1729. Sheriff Dargaray notifies Mr. Droy (Drouet) to appear on Saturday next in the suit between Mr. Dumanoir and Mr. Droy.

Petition of Recovery. Jan. 21, 1729. Jacques Esnoul De Livaudais moves to collect 1500 francs, or net avails thereof, due by Mr. Kolly for salary arrears of the late Mr. Céard; five years, 1720 (May 12) to 1725 (June), at

3000 francs a year. Mr. De Livaudais acts as attorney for Demoiselles de La Lande, nieces of Mr. C.

Action allowed.

Decisions Between Dumanoir and Kolly. Jan. 22, 1729. Defendant to pay provisional amount of 4000 francs.

Costs reserved.

Petition For Passage to France. Jan. 25, 1729. Bion shows that all his creditors are willing to see him return to France except Mr. Duval and Mr. Herpin, on behalf of Mr. Perault. Let Messrs. D. and H. be cited and petitioner's transit allowed, by ship Diane.

Notice served to D. and H.

Decision in Civil Suits.

Jan. 29, 1729.

1. Bion *vs.* Duval and Herpin. Council confirms agreement to Jan. 9. Execution ordered.

Costs divided.

2. De la Livaudais *vs.* Kolly. Respite of four months allowed for adjustment of Céard estate's accounts.

3. Kolly *vs.* Massy. M. in default, and subject to costs.

Judgment for K.

Petition to Recover Sale Proceeds. Feb. 1, 1729. Mr. Rossard claims an aggregate amount of 247 francs from Cariton, tailor, due on bills of sale.

Action allowed.

Petition of Recovery. Feb. 1, 1729. Claude Trennaunnay Chanfret claims 200 francs from Pierre de Manadé, due on sale of a horse, valuation made by Mr. de Noyan, Sr.

Action allowed.

Decisions in Two Suits.

Feb. 5, 1729.

1. Rossard *vs.* Roger.

Judgment for plaintiff.

Roger in default and subject to costs.

2. Dumanoir *vs.* Bourbault, and Kolly, parties distrained.

Further procedure outlined.

Petition of Recovery. Feb. 17, 1729. Langlois, tailor claims 39 francs from one Bonne Estofe, German, and asks that Bonne Estofe be cited. Meanwhile, let seizure be allowed.

Approved, and L. may distrain at his own risk.

Decisions in Civil Suits.

Feb. 26, 1729.

1. Rossard *vs.* Bourbault.
B. in default; must pay, plus costs.
2. Charles Droy *vs.* Noel Buisson.
Dismissed.
Costs divided.
3. Langlois *vs.* Bonne Etoffe.
Claim allowed.
(Antoine Lowe, alias Langlois).

Petition For Sanction of Sale. March 9, 1729. Corporal Beauséjour, who has recently married the widow Cardon, has sold his former house to one Langlois, locksmith, and acquired a house from Company's employé Michel. Council will please to ratify sale.

Agreed; Perier, Delachaise, Bruslé.

Letter From Terrisse De Ternan to Rossard. Aux Cascanias.

March 15, 1729. Hoping that Madame R. has arrived safely in "your Capital." Walnut wood could not be obtained; nobody sawing, but all being busy with seed-ing. R.'s debtor Leonard puts off paying, but writer will get what he can.

He sends 25 hams.

Receipt. March 19, 1729. Senet certifies that he has been paid in full by Monsieur Bapache for the rent of a house.

Lemesle Alias Bellegarde vs. Pascal. March 26, 1729. Out of Court. Costs divided.

Petition to Attend Hearing. March 28, 1729. Guillaume Bous-erand alias Sansfacon claims 90 francs from Blanpain. Action allowed.

Petition of Recovery. March 29, 1729. Jean Baptiste Faucon Dumanoir seeks to collect 4000 francs, or net residue

thereof, from "flush" Mr. Kolly, who eludes payment.
Action allowed.

Petition of Recovery. March 29, 1729. Councillor Prat seeks to collect 500 francs from Malon, tailor. Debt was to be paid in rice and corn.
Action allowed.

Petition of Recovery By Sale. April 2, 1729. Lucien Poiré, gunsmith, claims 200 francs from estate of late Blanvilain, and asks to sell the latter's lot in Royal Street.
Seeing that Poiré has paid B.'s debts, Attorney General Fleuriat permits the said sale.
Council agrees. Proceeds to cancel P.'s claim.

Petition of Recovery. April 2, 1729. De Morand claims 12 barrels of rice from Sieur Bimond.
Action allowed.

Decisions in Sundry Suits.

April 2, 1729.

1. Dumanoir *vs.* Kolly and Droy. K. and D. to pay 4000 francs and costs.
2. Trennay Chanfret *vs.* Pierre de Manadé. P. de M. to pay, plus costs.
3. Guillaume Bouserand (Sansfacon) *vs.* Blanpain. Blanpain to pay plus costs.
4. SCRAWL shall be released on condition that his security pay 400 francs for damage.
Partly torn.

Petition to Recover Wages. April 5, 1729. Jacques Guillotot, alias DuSablon claims 133 francs residue wage account, from Sieur Chassin, former officer of the Company in Illinois, but now domiciled at N. O.
Action allowed.

Decisions in Two Suits.

April 9, 1729.

1. Guillotot alias DuSablon *vs.* Chassin.
C. to pay given claim; he may recover elsewhere.
2. Prat *vs.* Malon.
Malon in default; must pay, plus costs.

Petition For Abatement of Account. April 25, 1729. Bourbeau pleads that he never refused to pay Mr. Dejoux, save that D. should allow for the 10 days while he stayed with B., and was nourished and laundried. Let the account be reduced by 90 francs, or whatever sum the Council may approve.

Petition of Recovery. April 25, 1729. Corporal Robert claims 79 francs, 6 sous from Malon, tailor.
Action allowed.

Decisions in Sundry Suits.

April 27, 1729.

1. St. Martin *vs.* Massy. Within a fortnight, parties are to name arpitratours (arpitres, Teutonism), or else the Court will do so.
2. Estienne Benson *vs.* Graslin.
Default.
3. Nicolas Rousseau *vs.* Bergison.
B. to pay.
4. Millon *vs.* DeVerteuil.
DeV. in default; must pay.

Petition of Recovery. April 28, 1729. Antoine Rivierre complains that his wife was overcharged by her employer Voysin, who drew 200 francs from the Company on her accounts when she came from France, and furnished her some supplies not equivalent of that amount. Let valuation be made and the deficit refunded.
Action allowed.

Remonstrance. April 20, 1729. Arnaud Bonnaud objects to being summoned to pay 1678 francs claimed by Mr. Kolly, and supposed to be owing to Ste. Reine grant. First, Mr. K. failed to show his warrant proceeding against A. B.; next, A. B. is merely the agent of Messrs. Perier and De la Chaise; Action, if warranted at all, should be brought against them. Either nonsuit Mr. K., or let him wait till some pending accounting is finished, when the balance bids fair to favor the side of A. B.'s principals.

Decisions in Sundry Suits.

April 30, 1729.

1. Kolly *vs.* Bonnaud.
Four months allowed for proper accounting.
Costs reserved.
2. Canceled.
3. Pierre Francois Dejoux *vs.* René Boyer. R. B.
in default and plaintiff nonsuited.
Rest of passage torn.

Complaint in Assault Case. May 2, 1729. When Surgeon Pierre Francois Dejoux, usually resident on the Dasfeld grant aux Chaouachas, asked his fees of one Chaperon, the latter answered with insults and abuse, and also violently attacked the surgeon, leaving him bruised and wounded. Prosecution desired.

No note by the Court.

Decisions in Sundry Suits.

May 7, 1729.

1. Antoine Maguire and his wife *vs.* Voisin.
Plaintiffs nonsuited.
2. Robert *vs.* Malon.
M. in default; judgment for R.
3. Dejoux *vs.* Bourbeau.
Further pending.

Petition in Slave Suit. May 4, 1729. Pierre Lantaud, tailor, moves for the citation of Francois Carriere, to prove that L. paid for a certain negress consigned to him by Mr. Durand, and belonging to the late Mr. Remond, whose widow is now Madame L., petitioner's wife. Otherwise, let negress and her increase be returned.

Action allowed.

Petition of Recovery. May 9, 1729. Nicolas Noiset claims a residue wage account of 160 francs from Mr. Moran.

Action allowed.

Surgeons' Report. May 13, 1729. Alexandre and P. de Manadé find some obscurity in the terms of agreement between Messrs. Dejoux and Chaperon; but all things considered, they would fix the damages at 50 francs.

Petition to Prosecute. May 18, 1729. Phillippe Francois Vellart, carpenter, complains that he falsely accused of robbery by one Le Page. Let Le Page be summoned to prove his charges, and fined if he cannot sustain them.

Notice served to Le Page.

But Attorney General Fleuriau turns the case against Vellart, for known disorderly actions, and orders him committed to prison with a view to trial.

Partly torn.

Petition of Recovery. May 21, 1729. Nicolas Henry agreed to sell a lot of his to Mr. D'Auseville for 500 francs. Council for technical reasons, disallowed the sale, but nevertheless the transfer was tacitly effected and Mr. D'A. is in actual possession. Mr. D'A. now takes advantage of technicalities to "economize" 500 francs at the expense of N. H. Let Mr. D'A. be cited to pay 500 francs in question.

Action approved by Baron.

Noticed served.

Petition of Recovery. May 23, 1729. Surgeon Pierre de Manadé and his wife complain that Baschemin and his wife refuse payment of 15,000 francs agreed on sale of land, as by contract of Nov. 12, 1727. Complex excuses are urged by Baschemin, but the debt remains valid and should be paid. Either let settlement be effected, or else release petitioners from furnishing the wood which had been promised to B. from plaintiffs' property.

Action allowed.

Petition For Second Copy of Marriage Contract. May 24, 1729. Joseph Carriere (Signed: Joseph Carrier) has lost the first copy of his marriage contract, and would have Mr. Rossard supply another copy.

Mr. R. is enjoined to do so. Delaichaise.

Petition of Recovery. May 25, 1729. Charles Droy, on behalf of the late Mr. de Mandeville and parties interested in

Ste. Catherine grant, claims 1068 francs and 14 sous from Mr. Tixerand.

Notice served, and word left with "Martin his savage."

Sale of Slave. Natchitoches. May 28, 1729. Londain has bought of St. Julien a negress named Combasla, for 1300 francs payable in goods at store price at N. O. L. has also paid on account an Indian slave rated at 540 francs, and 20 laying hens. Provisos in case of illness.

Witnessed by Duplessis and P. Tostain.

Remonstrance. May 28, 1729. Raymond Amysault Esquire D'Auseville, regardless of his position as one of the Superior Councillors, has been cited like a nondescript commoner, under signature of Mr. Baron, a fellow councillor. Mr. B. should have meditated against such an ignoble slur on one of the constituted dispensers of justice in the Colony. Councillor D'A. makes no claim to the property in question, and is not a partner to any transactions of others involved. Let Nicolas Henry be nonsuited.

Approved, and notice served.

Decisions in Sundry Suits.

May 28, 1729.

1. Nicolas Henry *vs.* D'Auseville.
Adjourned.
2. Canceled.
3. De Manadé and wife *vs.* Baschemin.
Defendant in default.
Judgment for plaintiffs.

Petition to Recover Property. May 31, 1729. Nicolas Henry, settler below Pointe St. Antoine, complains that while undergoing medical treatment at N. O., he has been deprived of his property by the misrepresentations of one Dupre de Tarbonne, pleading spurious title of possession. Let D. de T. prove his "rights," or else be evicted and held for damages.

Action allowed.

Petition For Indemnity For Improvements. May 31, 1729. Nicolas Henry had cleared some land which was found on surveying, to belong to Mr. Dosville (D'Auseville). Let Mr. D. be cited and ordered to clear equivalent land for N. H.

Action allowed: Bruslé.

Duplicated.

Petition to Recover Hire of Slaves. May 31, 1729. Morisset, employé, seeks to collect from one Adrien Gilbert, three months and 25 days of hire, at 600 francs a year, of two negroes. Reference to corroborating contract.

Action allowed.

Criminal Procedure. New Trial Ordered. June 11, 1729. Owing to some irregularities in the proceedings, Council annuls the former trial of one Joseph Eraff, charged with fatally wounding his partner La Biche, settler at Fort Condé, Mobile. It is now ordered that the Attorney General shall go to Mobile, where a new trial will be instituted before Councillor Bru. The culprit shall be transferred to prison at N. O. (Graff, in 29th)

Signed: Perier, Delachaise, Bruslé, Prat, Baron, D'Auseville.

Remonstrance. June 11, 1729. Raymond Amyault D'Auseville, after noting that Nicolas Henry died yesterday in the Hospital reviews in tangled detail the deceased's erroneous litigation, and urges that none of it applied pertinently to Councillor D'Auseville. The recent clearing contention (a matter of burnt cane at best) should have been directed against the true proprietor, Terebonne. Madame Henry is merely driven by other parties: let her be nonsuited and answerable for costs.

No note by Court.

Petition of Recovery. June 9 and 18. Pierre Schmitt, German, seeks to recover from Rodolph Guiland, 74 francs in equivalent for some rice and a cash collection.

Action allowed.

Petition to Sell A Lot. June 20, 1729. Jean Baptiste Bourbeau complains that Henry Bucoy had made him give up a lot of ground in this town, in restitution for an ox of J. B. B.'s that was hamstrung. Let Bourbeau sell the lot and pay the ox from proceeds.

Permitted, July 1, 1729.

Extract From Marriage Contract. June 22, 1729. Parties: late Joseph Moreau, widower of late Jeanne Damourette, and Marie Thérèse Le Grand, widow of late Pierre Driland, employé. Clauses showing what the groom received from bride.

Petition To Appoint Guardian. July 1, 1729. Elizabeth Thomas, widow of late Nicholas Henry moves for appointment of a Guardian for her minor daughters, Catherine and Louise.

Approved: Prat:

Torn.

Guardian Appointed. In sequel to the formalities of the case, Elizabeth Thomas is herself named, and confirmed by the Court, as guardian of her two minor daughters. See 29⁶⁰, 29⁶⁷.

Partly torn.

Decisions in Sundry Suits.

July 2, 1729.

1. Pierre Schmitt *vs.* Rodolph (Guilland).
Defendant in default. He shall pay rice and costs.
2. Durivage *vs.* Morisset, Contingent on further procedure.
3. Morisset *vs.* Adrien Gilbert. Net settlement ordered.
4. Canceled.
5. Pierre Lartault *vs.* Carriere.
Adjourned.
Charred.

Petition of Recovery. July 4, 1729. Francois Alix alias La Roze holds a note of Pierre St. Julien, settler at Cannes

Bruslées, for 300 francs, dated D. 11, 1728; value received in beer. Let St. Julien be cited.

Action allowed.

Letter of Terrisse De Ternan to Rossard. July 5, 1729. Acknowledging letter transmitted by Mr. Dutisné. Would fain be near R. since "the glass in hand is a great bond to maintain frienship." Some brandy received, but this is too plentiful for medium of exchange in fur trade. Better commodities in this trade are powder, vermilion, Limbourg (dry goods article), cutlery and large brassware. Sorry to hear of heavy mortality in your capital." Reference to writer's wrecked boat at Ouabache (Wabash).

Sundry matters of interest in this letter.

Port Captain Senet's Account Book. July 5, 1729. Including Mobile, Balise, and New Orleans. Writer apparently of German source: birougue for pirogue; pileist for billet. One section shows Company's marine payroll from Jan. 1, 1729. For the handwriting (unsigned), compare 28⁹², 29²³; also, spelling pileist in 27¹³⁶, 137, 138; ditto, sequante. Transactions range from 1725 to 1729. Many canceled entries, and the entire document is wanting in orderly arrangement. Possibly its erratic spelling is the most interesting detail now.

Petition to Recover Salt. July 9, 1729. Parties interested in the shop move for the citation of Mr. Grace to pay them 1000 lbs. of salt, for which he has failed to account to them according to invoices with storekeeper Pellerin. Bill called for 7600 lbs.; Mr. Grace received only 6600. Action allowed.

Judgment in Land Suit. July 9, 1729. One Terrebonne, having falsely obtained title to the plantation of the late Henry. T. shall vacate and Henry's widow and children recover possession.

Signed: Baron who acts for absent Attorney General.

Petition of Recovery. July 12, 1729. Cervé seeks to collect 100 francs of Pierre de St. Julien, due on a note.

(Possibly the plaintiff is Senet, so written, and also Serné, on 29⁷⁶⁵)

Action allowed.

Petition of Recovery. July 12, 1729. Surgeon Sanson, of Can- nes Bruslées, holds notes against Pierre de St. Julien for amount of 605 francs. Let St. J. be cited.

Action allowed.

Decisions in Two Suits.

July 16, 1729

1. "Parties interested in the shop" *vs.* Grace.
Defendant discharged from claim of salt.
Costs divided.
2. Pierre Lartaut *vs.* Francois Carriere.
Inquiry ordered at Mobile.
Question of ownership of a negress.

Acknowledgment of Draft. July 18, 1729. Massy has received original duplicate and triplicate draft dated past October 10, drawn by one Thomassin Junior, at 6 weeks' sight, on his father, dealer in vinegar at Paris. M. promises to pay given sum, 1100 francs, on advice from his correspondent that the draft has been honored. Draft was tendered to M. by Babaz.

Memorandum. July 18, 1729. "A coat, jacket and breeches with old silver buttons; a wooden trunk without lock. Francoeur has declared that the late Babaz sold his large boiler to Mr. Carriere."

(The two papers were found pinned together).

Petition of Recovery. July 19, 1729. Pierre Dreux advanced 1700 lbs. of flour to Kolly grant in 1721 and 1722, when flour was worth one franc a pound; but was willing to settle for 15 sous a pound. Mr. K. would pay only 6 sous a pound; let him be cited to pay 15 sous, or else agree to arbitration.

Action allowed.

Petition to Dissolve Partnership. July 23, 1729. Pierre Paul Caussy and Laurent Boissier had agreed with the

Company to conduct a pottery concern in partnership. But owing to personal incompatibility, the partners beg to be separated, on terms described. Council accedes, and Mr. Bruslé shall take sole charge of the manufacturing establishment. Provisos on manner of settlement.

Signed: Perier Delachaise, Bruslé.

Decision in Suit of Recovery. July 23, 1729. St. Julien shall pay Francois Alix 300 francs, as due on given note.

Notice served to St. J., August 13, 1729.

Decisions in Sundry Suits.

July 23, 1729.

1. Pierre Dreux *vs.* Kolli.
Adjourned for proving claim.
2. Charles Droy *vs.* Tisserand.
Judgment for C. D.
3. Canceled.
4. Francois Alix *vs.* St. Julien. For F. A.
5. Senet *vs.* St. Julien. For Senet.
6. Sanson *vs.* St. Julien. For St. Sanson.
7. Certain surgeons of the Company tender oath in pledge of faithful service.

Petition of Recovery. July 26, 1729. Councillor Antoine Bruslé holds a note for 721 francs, endorsed by Mr. de la Frenière in favor of Mr. B. Mr. Francois Carrière, who issued the note, keeps putting off payment; let him be cited.

Action allowed.

Petition For Voiding of Will. July 30, 1729. Mr. Rossard, attorney for vacant estates, discredits a "pretended will" of one La Biche, in favor of his former partner Joseph Graff; condemned to be hanged for fatally stabbing LaBiche. The latter's creditors are not to be ignored, and the untenable will should be annulled, and the goods of LaBiche sold.

Approved and so ordered by Attorney General Fleuriau.

Petition to Sell Real Estate. July 30, 1729. Mr. Rossard moves for the sale of half lot and house belonging to one

Durand, formerly Company storekeeper, and fugitive since Jan. 1725. Proceeds to satisfy rightful claims.

Approved: Perier, Delachaise, Fleuriau, Bruslé, Prat, D'Auseville.

Sale of Real Estate Ordered. July 30, 1729. Auction of a halt lot in Royal Street, and house with shingle roof, together with appurtenances, to be held on August 8. Property belonged to former storekeeper Durand, now fugitive. Proceedings moved by Mr. Rossard, attorney for vacant estates.

Blurred and stained.

Sale of Real Estate. Formal Order. July 30, 1729. Official ruling to same intent as in agridged counterpart No. 29^{so}.

Signed: Perier, Delachaise, Bruslé, D'Auseville, Prat.

Annulment of Will. July 30, 1729. Council accedes to petition of Mr. Rossard, annuls the said will, and orders appropriation of deceased's estate. From the proceeds, a requiem service shall be allowed on behalf of La Biche.

Decisions in Two Suits.

July 30, 1729.

1. Dreux *vs.* Kolly. Referred to Messrs. Coustillas and Roquet.
2. Attorney General *vs.* Roger, formerly storekeeper of Company.

Adjourned.

Agreement to Abide by Arbitration.

August 1, 1729.

Undersigned Caussy (Pierre Paul) and Bossier (Laurens) have agreed to defer to arbitration by Messrs. Mathurin Dreux and Jacques Larche, in regard to grain, sweet potatoes and work on plantation; and in case of dispute, a third arbitrator shall decide.

Arbitration Report. Pottery Tract. "La Fayencerie." Aug. 1, 1729. Messrs. Jacques Larche and Mathurin Dreux submit their estimate as follows: corn crop,

45 barrels in ear. Sweet potato crop, 60 barrels. Fuel, 7 cords, at 5 francs, 35 francs. Ditching, 40 francs, Poultry, 67 1-2 francs. Items of fencing, 100 and 40 and 60 francs.

Petition to Recover Heifer. August 3, 1729. Jacques de Coustilhas, officer of this garrison, shows that a dark brown heifer of his, with some gray hair on her forehead and white markings between fore legs, first strayed among the cattle of Madame Chamilly, and is now in the herd of Madame Bruslé, who claims ownership and refuses to relinquish. Let Madame B. be cited to surrender heifer on proof supplied by J. de C.

Heifer's present age, about 21 months.

Action allowed.

Petition to Stay Judgment. August 3, 1729. Tixeran, who was cited on motion of Mr. Droy, was prevented by bad weather from attending Court, with reference to a protested draft. Compensation besought, and let the ruling which was rendered against the petitioner stay short of execution.

Action allowed, and notice served to Mr. Droy.

Arbitration Report. August 4, 1729. *Dreux vs. Kolly.* August 4, 1729. Messrs. Coustilhas and Raquet, in view of the notorious high price of flour at the time concerned (years 1721, 1722 and 1723), when bread sold as high as 30 sous a pound, recommend that the present claim be settled on basis of 15 sous a pound for bread, as represented by given amount of flour.

Inventory Boissier-Caussy. August 4, 1729. Remnant of goods entered on book for 180 francs, 6 sous.

Goods not entered, 122 francs, 5 sous.

Detailed miscellany follows; to total footing at 1261 francs, 19 sous. Signed: Boissier, Caussy.

Petition of Recovery. August 6, 1729. Francois Carrière claims 1000 francs of Mr. Tixerand, due on his note of July 14, 1725.

Action allowed.

Heifer Suit Adjourned. August 6, 1729. Louis, by the grace of God King of France and Navarre, greets all who may read these presents; whereas his delegated Court of the Superior Council, finds plaintiff and defendant alike insistent on owning the disputed heifer; and so orders the parties, Officer Coustilhas and Madame Bruslé, to produce their respective proofs before Councillor Prat a week hence.

Remonstrance. August 6, 1729. Charles Roger, formerly storekeeper and bookkeeper for Mr. Crozat, has been accused of dishonest accounting. He repudiates the charges, and complains of their vague laxity. Even official Mr. Rossard brings general accusations void of specific support. C. R. admits the chances of unguarded error; wilful dishonesty he will not admit, and he challenges alleged proof of it. He kept his books in condensed form for practical convenience; but has written data wherever needed.

Petition in Remonstrance. August 6, 1729. Charles Roger files opposition to a certain reversal of attachment proceedings, obtained by Messrs. Massy and Quenot. C. R. did not seek to rob the King, nor to collect factitious debts. There may be *novelty* in C. R.'s accounting; fraud there is none. Let this opposition be allowed, and full proof demanded of those who charge C. R. with false dealing.

Action allowed, and notice served to Massy.

Decisions in Sundry Suits.

August 6, 1729.

1. Bruslé *vs.* Francois Carrière.
Claim to be paid.
See 29⁷⁷.
2. De Caustilhas *vs.* Madame Bruslé.
Adjourned.
3. Droy *vs.* Tixerant. Settlement on net basis.
Costs divided.
4. Attorney General *vs.* Charles Roger.
Further in process.
Costs reserved.
Blurred and slurred.

Petition of Recovery. August 8, 1729. Claude Trenaunnay Chanfret moves for the citation of Mr. Rossard, Attorney, to pay 25 francs and 7 sous, French money, which petitioner once paid to an innkeeper Daure at Port Louis, on behalf of the late Pouyadon de La Tour.

Action allowed.

Duplicated.

Petition For Execution of Arbitration Award. August 9, 1729. Mr. Dreux begs the Council to cite Mr. Kolly with a view to execution of the arbitration sentence rendered on August 4, 1729.

Notice served.

Sale of Real Estate Advertised. August 10, 1729. Auction of half lot and house in Royal Street. Property of fugitive storekeeper Durand, to be resumed on August 22. Highest bid thus far is only 150 francs, by wig-maker, La Pierre.

Stained.

Summons to Testify. August 11, 1729. Sheriff Dargaray notifies Madame Chamily and several other parties to appear today at 9 A. M. before Councillor Prat, in regard to the disputed heifer. Word also given to Madame Bruslé.

Testimony on Disputed Heifer. August 11, 1729. Six witnesses examined. Only indirect and hearsay evidence returned. Heifer supposed to belong to Madame Bruslé.

Summons to Testify. August 12, 1729. Sheriff Dargaray notifies Mr. and Madame Manadé, Madame Morisset, Madame Le Moine, Madame Boissier and Mr. Balcour to appear today at 8 A. M. before Councillor Prat, and give testimony in regard to disputed heifer. Word also left for Mr. de Chevalier de Lauboey, where Mr. de C. is domiciled.

Testimony on Disputed Heifer. August 12, 1729. Witnesses merely saw the heifer with Madame Bruslé's cattle;

nothing conclusive is brought out on the point of ownership.

Decisions Between Trenaunnay Chanfret and Rossard. August 13, 1729. R. to pay claim.

Item, between Dreux and Kolly.

K. in default. Arbitration sentence to be carried out.

Petition of Recovery. August 16, 1729. René Galbée, schoolmaster with Mr. Renaud D'Hauterive, lived in that capacity with Madame Rivard, settler at Bayou St. Jean, to teach her children. Madame gave her note for 376 francs and 15 sous, but instead of paying, she answers petitioner with "insults atrocious." Let Madame be cited to pay this note, and also to return certain goods or money which R. G. had lent her; to wit, toilet paper, and cobbler's item of 25 sous in specie.

Action allowed.

Edges worn.

Petition of Recovery. August 16, 1729. Valeran claims a residue account of 45 francs from Cariton, and a further item of 7 francs, or 52 francs total.

Action allowed.

Petition to Recover Medical Fee. August 17, 1729. Baldit, surgeon, was summoned to treat the late Mr. Artus at Biloxi, and went thither with Mr. Tixerant. Fee was agreed at 100 francs; but now the deceased's widow is married again to one Bonne, who answers only with abuse, and calls the surgeon a rogue. Let Bonne be cited to pay the bill, and also to make amends for said abuse.

Action allowed, and notice served to Sieur Bonne, then domiciled with Sheriff.

August 23, 1729.

Notice to Challenge Witnesses. August 19, 1729. Sheriff Dargaray submits list of Madame Bruslé's witnesses to Mr. de Coustilhas, who shall present his objections, if any.

Decisions in Sundry Suits.

August 20, 1729.

1. Coustilhas *vs.* Madame Bruslé. Adjourned for further investigation.
2. Francois Carrière *vs.* Tixerant. Judgment for C.
3. René Galbée *vs.* Widow Rivard. Adjourned.
4. Vallerand *vs.* Cariton: For V.

Summons to Testify. August 20, 1729. Sheriff Dargaray, at the instance of Jacques Coustilhas, notifies sundry parties to appear today at 1 P. M. before Councillor Prat, in regard to the disputed heifer.

Testimony on Disputed Heifer. August 22, 1729. Vague and contradictory evidence on color of heifer; nothing to the purpose on ownership.

(The case appears to stand: no evidence whatever to prove that the heifer belonged to Mr. de Coustilhas; whereas popular opinion, report and impression favor Madame Bruslé.)

Sale of Real Estate Advertised. Aug. 23, 1729. Auction of property in Royal Street to be resumed on September 5. Present highest bid, of La Pierre, is 250 francs. See 29^o.

Receipt to Louis Roy, signed Allemand. Aug. 25, 1729. Certified by Clerk of Council. Signed: Dargaray, Rossard, clerk.

Petition For Discharge From Suit. Aug. 26, 1729. Jean Baptiste Massy was surprised to be cited on motion of former storekeeper Roger. Mr. M. has nothing to do with accounts in question, having wound up his affairs with heirs of late Guenot frères Mr. M. was in France when contested supplies were furnished. Let M. be discharged. Mr. Roger should refer his case to said heirs. Communicated to Mr. Rogèr.

Decisions in Sundry Suits.

Aug. 28, 1729.

1. De Coustilhas *vs.* Madame Bruslé.
Ownership decided for Madame B. Plaintiff nonsuited. See 29¹⁰⁸.

2. *Roger vs. Massy.*
Further in process.
Costs reserved.
3. *Baldit vs. DeBaune.*
For Baldit.
Costs on defendant.
Slurred and partly torn.

Petition to Stay Judgment. Aug. 29, 1729. Tixerant objects that he was unable to be present when suit was decided against him and in favor of Carrière. Let C. be cited for further pleading.

Approved, and notice served.

Argument in Suit of Claims. Sept 1, 1729. Durivage aims to establish the point that Tixerant owes him 388 francs outstanding since February 1725. D. is willing to consider accommodations, but insists on this original claim of his own.

No note by Court.

X 26^a (Oct. 3, 1726.)

Memorandum of Account. Sept. 1, 1729. "Monsieur Tixerant, his account current with Durivage." Feb. 1725. Dr. Items include, pigeon house, 43 days work at 5 francs a day, 215 francs; 18 rafters, 54f; fireplace, 150 f.; coating of three cabinets, 20 f.; 300 oysters, 9 f.; residue for cow, 50 f. Total debit, 498 f.

Credit items, 2 pigs rated by experts at 40 f. each, 80 f.; 2 axes, 20 f.; cash, 10 f.

Total credit 110 f.

Net debit, 388 f.

Report on Search For Illicit Traffic. Sept 2, 1729. It being rumored that the officers of ship St. Michel had sold some brandy to Mr. de Coustilha, contravening the Commander General's orders: Mr. Delachaise and Mr. Droy make inspection, but find no evidence of the alleged breach of law.

Partly torn, as by gnawing.

Report on Search For Illicit Traffic. Sept 2, 1729. Mr. Delachaise and Recorder Rossard inspect the premises of

Mr. Dumanoir, where they seize some brandy and dry goods and premises of Mr. Vosin, where they seize some goods known as "cloth (or linen) of Brittany." Articles from ship St. Michel.

Partly torn, blurred and slurred.

Attachment of Funds in Contraband Trade. Sep. 3, 1729. First Councillor Delachaise and Recorder Rossard seize the sums of 1500 francs and 1087 francs against Macmahon, an officer of the ship St. Michel; these sums proceeding from illicit sale of goods. The law in question dates back to August, 1717. (Name also appears as Marc Mahon).

Decisions in Two Suits.

Sep. 3, 1729.

1. Tixerand *vs.* Francois Carrière. Court allows plaintiff's opposition, and orders defendant to refund 1000 francs.
2. De Manadé *vs.* Baschemin. Adjourned.

Prosecution For Contraband Trade. Sep. 5, 1729. Attorney General Fleuriau reviews the recent proceeding of confiscation, and orders hearing of retailer Marc Mahon and La Follette Descazeaux, mate of the St. Michel, together with parties Berthelon, Dumanoir and Voisin. Other measures advised: Delachaise.

Seizure of Ship St. Michel. Sept 5, 1729. Councillor Prat and his clerk Gabriel Gontier formally seize the St. Michel, then anchored at La Balize. Captain Lobry protests that he was not plying trade, but only exchanging a few goods for transient "refreshments." He disclaims the Council's jurisdiction, and will appeal in France. Captain Lobry is left custodian of the ship, Sept. 19, 1729. Seals are withdrawn, and keys returned to Captain Lobry, discharged from custody of seized ship.

Prosecution For Killing Cattle. Sept. 5, 1729. Attorney General Fleuriau moves for the trial of some negroes accused of robbing and killing heifers for fresh meat.

Approved: Delachaise.

Torn.

Criminal Procedure, Cattle Killing. Sept. 5, 1729. Examination of negro Changereau, Bambara by nation, aged about 20 years, belonging to Adrien Gilbert. Ran away because underfed. Had three accomplices (fellow slaves). It was Manadé's negro who killed heifer in question, but Changereau ate of the meat.

Criminal Procedure, Cattle Killing. Sept. 5, 1729. Examination of negro Francois, unbaptized, a slave of St. Julien's. Aged about 25 years. *Had no part in robbing and killing cattle, but stole some bacon and sold it to another negro for tobacco.

Criminal Procedure, Cattle Killing. Sept. 5, 1729. Examination of negro Pierot, Bambara by nation, aged apparently 27 or 28. Slave of Mr. Dalby's ran away because too sick to work and afraid of punishment. Admits complicity in killing a "young beast." Stole some corn, but no hens. (Corn from "desert of the Jesuit Fathers.")

Criminal Procedure, Cattle Killing. Sept. 5, 1729. Examination of negro Sabany, Bambara, Bambara by nation, aged apparently 30 years, a slave of officer Villamille. Some comrades gave him fresh meat in a cabin of Mr. de Bienville's. They were marooning, but Sabany was not.

Defense in Collection Suit. Sep. 9, 1729. Mr. Roquet submits a reasonable plea for extension of time to Mr. Baschemin, now pushed by "fickle" Mr. Manadé for cash payments which B. cannot meet at short notice. He has already paid back some flour, and a third of the price of a certain plantation. Mr. B. is a new settler and merits leniency. Perhaps he is just as good a debtor as Manadé in the matter of the Company's accounts.

No note by court.

Recusation on Ground of Kinship. Sep. 10, 1729. Councillor Antoine Bruslé files legal exemption from taking part in the confiscation proceeding against ship St. Michel;

his wife (Demoiselle Cecile LeBlanc) and the wife of Captain Lobry of St. Malo, being second cousins.

Council assents: Delachaise, Prat, D'Auseville, Baron.

Reference to a statute of year 1667.

Exception Moved, But Disallowed. Sep. 10, 1729. Attorney General Francois Fleuriau was not aware of the "senseless" proceedings of confiscation against ship St. Michel. He too, pleads exemption on ground of kinship; his wife Pelage de Morieres and the wife of Captain Lobry are second cousins.

Council rejects his plea for the reason that his office is not judicial, but only participant with both sides in the formalities.

Perier, Delachaise, D'Auseville.

Decisions in Two Suits.

Sep. 10, 1729.

1. De Manadé and wife *vs.* Baschemin. B. to pay 300 francs on term matured, plus interest. Further proviso concerning revoked attachment.
2. Attorney General *vs.* Dumanoir and Voisin. Captain Lobry shall be heard in the case.

Investigation Moved. Sep. 13, 1729. Attorney General Fleuriau calls for sifting of the charge that the officers of St. Michel landed and sold goods along the River, contrary to law of 1717.

Action approved: Delachaise.

Petition of Recovery. Sep. 13, 1729. Jean Bte. Meynard moves for the citation of Mr. Dubreuil to pay a note transferred by R. P. Theodore.

Action allowed.

Request For Suspense of Seizure. Sep. 14, 1729. Du Breuil answers that he does not refuse to pay the note in question; only, first let the distraint be waived which was imposed by R. P. Raphael at Chapitoulas.

Summons to Testify. Sep. 15, 1729. Sheriff Dargaray notifies Messrs. de La Loire Flaucourd, storekeeper at La Be-

lize, and "Captain of Arms" Douaze, to appear today at 3 P. M. to give evidence in St. Michel affair.

Testimony in St. Michel Affair. Sep. 15, 1729. (Scrawled) Witness Claude Doizet (Douazé), volunteer on board St. Michel, has no knowledge of illicit sales in question. There were some casks in the longboat; what was in them, he knows not.

Pierre Louis August de Loire de Flaucourt, chief clerk at La Blaise, also saw some liquor in the longboat, and something was landed at the plantation of Mr. de Coustilhas; uncertain whether it was brandy or wine.

Sep. 20, 1729. Joseph Le Houx, first pilot of the St. Michel knows of three or four casks in the longboat, intended for barter in the way of grain and poultry. Whether goods were landed, he is not aware.

Attachment of Funds. Sep. 17, 1729. Sheriff Dargaray seizes 500 francs plus interest and costs, against one Bunel; this representing B.'s debt to Malon. Seizure moved by Mr. Prat.

Notice served to B. and M. to attend subsequent hearing.

Petition of Recovery. Sep. 17, 1729. René Boyer claims of Tixerant a cash debt of 181 francs, and he would also have T. make equivalent return for some clearing operations which R. B. completed on a part of his land which by Mr. Broutin's surveying has been ceded to T. Said operations included ditching. Action allowed.

Decision Between Meynard and Dubreuil. Sep. 17, 1729. D. to pay note in question, irrespectively of said seizure.

Petition of Recovery. Sep. 19, 1729. Claude Trenaunnay Chanfret, director of DuBuisson grant, seeks to collect a protested draft for 373 francs and 15 sous, plus interest and costs, from Mr. Kolly. Draft was drawn by Mr. Dumanoir in favor of C. T. C., in December 1720; protested in May 1721.

Action allowed.

Certificate on Rafters. Sep. 20, 1729. Mr. Broutin certifies that the rafters of Mr. Tixerant's plantation house are too far apart, being spaced at about three feet.

Summons to Testify. Sep. 20, 1729. Sheriff Dargaray notifies Le Houx, pilot of the St. Michel to appear before First Councillor Delachaise today at 3 P. M. for hearing in St. Michel affair.

Summons to Attend Hearing. Sep. 20, 1729. Sheriff Dargaray notifies Captain Lobry and retailer Mahon of the St. Michel; also, Messrs. Berthelon, Voisin, and Duma-noir, to appear on Saturday next, when seizure of the said ship is to be declared correct.

Summons to Attend Hearing. Sep. 20, 1729. Sheriff Dargaray notifies Messrs. MarcMahon, Foliette, Berthelon, Dumanoir, and Voisin to appear "on Saturday next," with reference to proceedings of seizure and confiscation in St. Michel affair. Torn and faded.

Decision Between Manadé and Baschemin. Sep. 20, 1729. Defendants, B. and wife, to pay M. and wife 3000 francs with interest. Concurrent seizure to be revoked. Communicated to B. and wife.

Petition to Recover Rent. Sept. 24, 1729. Raymond Amyault D'Auseville leased a house to Madame de Ste. Hermine for 20 francs a month to continue one year. Madame has removed her furniture and sent back the keys, except dovecote key; the key being handed by Surgeon Major Reytet to a raw "savagess," ignorant of French. Let Madame be cited to take back the keys and to pay rent as agreed.

Release From Official Action. Sep. 24, 1729. Councillor de Perrier, owing to his long intimacy with Mr. Marc Mahon, cannot conscientiously take part in the pending proceedings against ship St. Michel, and is accordingly released therefrom.

Signed: Delachaise, Prat, D'Auseville, Baron.

Inquiry Ordered. Sep. 24, 1729. Attorney General Fleuriau moves for a formal report on the condition of the ship

St. Michel; thereby to ascertain whether an alleged leak is real, or was produced purposely, or is merely feigned.

Decisions in Sundry Suits.

Sep. 24, 1729.

1. Claude Trenaunnay Chanfret *vs.* Kolly.
K. to pay note. C 29138.
2. René Boyer *vs.* Tixerand.
T. will make desired improvements within a year. Meanwhile R. B. shall have the benefit of ground which he cleared. T. to pay cash claim.
3. Prat *vs.* Bunel and Malon. Seizure correct. Malon to deliver cow and heifer in question, and then refund what is due.
4. Attorney General *vs.* Lobry, Mac Mahon, Berthelot, Voisin, Coustilhas, Dumanoir. Confiscation sustained.

Accessory provisos on behalf of Dumanoir and Voisin. Costs on Lobry and Mac Mahon.

Business Agreement. Sept. 25, 1729. Burbeau will receipt to Mr. Senet for 1800 francs after the departure of the Durance. Some further provisos bearing on transactions of pertinence to themselves then; profitless to this generation.

Remonstrance in Rent Suit. Sep. 26, 1729. Madame de Ste. Hermine did not understand a binding force in contract of rent for one year, but understood herself free to vacate at will on paying to time of retirement. Mr. D'Auseville refused 80 francs, the rent for four months, when she offered it and had it ready; she spent it afterwards on her own account, and cannot immediately pay the same sum just now. Let Mr. D'A. be nonsuited, and Madame will pay for the given four months when the Council so orders; but at a future date. No note by Court.

Criminal Procedure. Sept. 27, 1729. Attorney General Fleuriau moves for the trial of a Bambara negro belonging to Mr. Tredeau, and accused of persistent violent threats.
Approved: Delachaise.

Petition to Maintain Exchange of Slaves. Sep. 28, 1729. Antoine Lowe exchanged a negro boy with Mr. Alexandre for a negress. Negro boy was in good condition then, but is now in a decline and liable to die. Mr. A. would give back the impaired slave and cancel the bargain. Let him be held to his word.

Action allowed.

Memorandum of Account. Oct. 1, 1729. Items chiefly of bleeding. Total 5 francs.

Petition of Recovery. Oct 1, 1729. Louis Viger claims 45 francs of Mr. Bimond, plus interest and costs.

Action allowed.

Promissory note. Oct. 6, 1729. Quidort will pay Mr. La Frénière the sum of 297 francs and 7 sous, or order value received, at the close of November next.

Memorandum of Account. Oct. 8, 1729. Bimont presents a conterclaim in answer to Viger's claim of 45 francs.

Total of detailed items, 61 francs.

No note by Court.

Motion For Appointment of Guardians. Oct. 8, 1729. Attorney General Fleuriau reports the drowning of Louis Senet, while on the way to his plantation by dugout, on Sep. 27, 1729. There being a widow (in France) and surviving minor children, a guardian and surrogate guardian should be appointed.

Approved (after customary forms) : Bruslé.

Stained.

Decision in Rent Suit. Oct. 8, 1729. Madame de Ste. Hermine is ordered to abide by terms of a full year's lease. She shall take back the keys and furnish the house in security.

Costs on Madame.

Notice served, and Madame protests. She will pay four month's rent, but refuses the keys and further obligations.

Decisions in Sundry Suits.

Oct. 8, 1729.

1. See 29-155.

2. Antoine Lowre *vs.* Alexandre. A. L. shall take his negro, A. his negress.
Fine on both parties in favor of Hospital.
Costs divided.
3. Viger *vs.* Bimont. Out of Court. Costs divided.
Proviso against V.'s practice of surgery.

Petition For Account Rendered. Oct. 11, 1729. Jean Rebout calls for citation of Mr. Bonnaud, inspector of Le Blanc grant, to render his account to J. R. and pay what is due.

Action allowed.

Letter of Terisse De Ternan to Mr. Rossard. Oct. 13, 1729. Acknowledging "your long and agreeable letter of past June 15." Reference to disorders in the "capital." Writer sends a fresh lot of onions. Discussions of trade situation; items of personal gossip. Remarks on a ruling against S. J. (supposed unfriendly to T. de T.) Mr. Pradel made fair promises which he does not keep. Turn dugout over to the Company and remove six bearskins for blankets. R.'s debtor has paid 200 lbs. of flour. Flour quoted at 15 francs a cwt.

Decisions in Two Suits.

Oct. 15, 1729.

1. Rebout *vs.* Bonnaud. B. to comply within a fortnight. Costs on B.
2. Francois *vs.* Jacques Datalon.
Adjourned.

Acknowledgment of Debt. Oct. 21, 1729. Bayou St. Jean. Jean LeBrasse owes 100 francs to La Croix for victuals, and cedes to him a third of site beginning with two trees (kind not known) and extending to a certain oak.

Witnessed by Clermont and Forestier.

Petition to Prosecute. Oct. 21, 1729. Bonnaud reports that his negro Crusquet died from poisoning, as indicated by postmortem examination. Petit, another negro of B.'s is suspected of the crime, and should be brought to trial.

No note by Court.

Agreement For Hire of Free Negroes. Oct. 21, 1729. DeChavannes agrees to hire free negro Mingo, who came from Carolina, and his wife Thérèse, whom M. bought of Mr. Dalby, for three years. M. to work and also to oversee slaves in cultivation of tobacco, cotton, and other crops; Thérèse to engage in women's work. Hire for M. shall be 300 francs a year in current funds, together with a jug of brandy each month when in store; equivalent money else; besides 8 per cent of plantation produce except increase of negroes and cattle. This 8 per cent to be realized promptly after each harvest; provided service continue to close of term. Hire for Thérèse, 200 francs a year payable to Dalby until Mingo's contract with him be discharged.

(Soiled as though by contact with a dusty floor.)

Petition For Emancipation of Indian Slave. Oct. 22, 1729. Duplessis, settler at Natchitoches, holds "a kind of will" devised by late Francois Viard, who freed an Osage woman slave and reserved 100 pistoles in behalf of her Catholic instruction. Let these terms (and their accessory clauses) be carried out.

Attorney General approves emancipation in question, but the Black Code forbids cash legacy to a slave. Money shall go to the Hospital, and said Osage will be trained by the Ursuline ladies, who are to take quarters in Hospital.

Motion to Try For Poisoning. Oct. 25, 1729. Attorney General Fleuriau reviews the case of Mr. Bonnaud's negro, Crusquet. Among the plantation negroes, witchcraft is supposed to be the weapon of Crusquet's poisoner's tribe; the law followed by Council does not admit witchery, but it does punish poisoners. Institute formal trial of Petit.

Approved: Delachaise.

Surgeon Manadé and witnesses shall be cited before Councillor Prat.

Partly perforated as by gnawing.

Agreement on Hire of Slaves. Oct. 27, 1729. Pierre de Manadé hires two slaves, Cézard and Jupiter, to Adrien Gil-

bert, carpenter, for one year. Terms, 240 francs for each, or total 480 francs; 240 paid cash; the residue payable at expiration of contract. Provisos on death and marooning.

Contract attested by J. B. Facuon Dumanoir, 4 F. 1731, and by Vincent. 7 Sept. 1731.

Receipt. Nov. 2, 1729. Pellerin has received of Mr. St. Julien, six Spanish dollars in discharge of a note of Mr. Boquet's. Said note to be destroyed if it be found.

Endorsed memorandum; six piastres paid for Boquet to Sieur Pelerin. Naquitoche.

Petition of Recovery. Nov. 8, 1729. Renaut D'Auterive moves for the citation of Surgeon Alexandre to pay 252 francs, and a further item of 100 francs.

Action allowed.

Petition of Recovery. Nov. 8, 1729. Rebout claims 240 francs from Mr. Delery, for 8 months' hired service; less 40 francs for four barrels of rice, and 2 francs for a pair of galoshes.

Action allowed.

Petition of Recovery. Nov. 8, 1729. Rebout claims 170 francs from Sieur de la Frénière, for five months and twenty days of hired service; less 30 francs received for six items of cheese.

Action allowed.

Petition to Recover Value of Slave. Nov. 8, 1729. St. Amand moves for the citation of Surgeon Darclon Desche, to pay for a negro who died, as here contended, by reason of the Surgeon's neglect. Case of injured feet, and culpable abandonment of duty.

Notice to said Surgeon aux Allemands, ten leagues away. Nov. 12, 1729.

Decisions in Two Suits.

Nov. 12, 1729.

1. Renaud Dauterive vs. Alexandre.

Further in process.

2. Rebout vs. La Frénière.

Settlement provided.

Costs on defendant.

Petition to Evict. Nov. 14, 1729. Rivet sold a house to one Duperier, who returned to France and left the transaction in charge of one Sautier, joiner. Let S. be cited to vacate the said house, for failing to satisfy terms of sale. He shall also pay rent as due.

Action allowed.

Petition For Execution of Judgment. Nov. 14, 1729. Raymond Amyault D'Auseville requests the Council to confirm the ruling passed against Madame Ste. Hermine. The vacant premises daily suffer wanton depredations, as by removal of stakes from fences and poultry house. If Madame will not move back, let other tenants be installed, and Madame be held responsible for damages. Notice served.

Runaway Slave Case. Nov. 16, 1729. Examination of a Bambara negro David, who admits running away (from his master de Manadé) and complicity in killing a heifer. Ran away because his master broke a finger for him (not the master's).

Letter of Terrisse De Ternan to Rossard. Fort Chartres, Nov. 20. Takes advantage to write by coincidence of dug-out carriers. Hams will be sent later, and as opportunity best serves. Writer has broached some native wine, still raw, but will endeavor to keep the full cask thereof till spring. Epiphany and Shrove Tuesday (which he spells marty cras) may tempt him to the contrary, but he thinks of absenting himself so as to keep his word until Easter. R. will please to bear in mind such trifles as sugar and coffee, suitable reliefs in ascetic remoteness.

Petition of Recovery. Nov. 22, 1729. Surgeon Major Jean de Reytet claims an account of 200 francs and a further item of 50 francs from Mr. Bimond.

Action allowed.

Faded almost extinct.

Petition of Recovery. Nov. 22, 1729. Mr. Marian claims 88 francs and 19 sous from one Malon, due on a note.

Action allowed.

Memorandum of Account. Nov. 24, 1729. Monsieur de St. Julien's account with Rossard. List of miscellaneous items and transactions. Total 3862 francs.

Entries also occur for April 3 and May 15, 1739.
Ragged edges.

Decisions in Sundry Suits.

Nov. 26, 1729.

1. D'Auseville *vs.* Madame Ste. Hermine. Modified ruling for plaintiff. Last portion effaced.
2. St. Amant *vs.* Darclon Desche.
St. A. nonsuited.
3. Marin *vs.* Malon. Claim to be paid, plus costs.
4. Rivet *vs.* Sautier. Adjourned.

Petition of Recovery. Dec. 2, 1729. Jean Baptiste Beaupre seeks to collect the sum of 200 francs from Mr. Rossard, attorney, for certain supplies furnished on behalf of the late Senet, and also for petitioner's time as plantation steward.

Action allowed.

Duplicated.

Copy of Perier's (First Card) Instructions to Sieur Dusable:

Natchez Affairs. Dec. 9, 1729. He shall get first-hand information of what is going on aux Natchez, and how the French fare on all the grants of the White land (Terre Blanche) and Ste. Catherine, whither the French have fled, it would seem. When he learns of anything noteworthy, let him write, or send a messenger, or even come down in person if the news were not to be trusted to a second party. Assure the French and the friendly Indians that war supplies will be found along the River. He shall accurately observe Indians of the small tribes along the River, so as to ascertain their sentiments and to learn whether they have been approached by the other Indian tribes.

(See next card).

(*Second Card*). *Petition of Dusablé.* On the basis of the foregoing commission, which he followed out at risk of his life, Mr. Dusablé, now of Natchitoches, but in transit at N. O., asks the Council to defray at least his ex-

penses on yonder expedition; which also included the reconnoitering of a road discovered by Officer St. Julien, and purporting to be the work of the Chaquetas.

Application approved: Salmon.

Notice served by Sheriff Louis Hugault to Mr. Bruslé, representing Company of the Indies.

Petition to Recover Bequests. Dec. 12, 1729. R. P. Raphael enumerates various "pious legacies" devised to the Capuchin Community; to wit, 150 francs and also 50 francs, for the poor, by will of late Desarbois; 500 francs, and a debt of 330 francs, by will of late Sieur de La Salle; house and lot in Bourbon Street, by will of late Babas. Execution besought.

Notice served to Mr. Rossard.

Petition of Recovery. Dec. 20, 1729. De Moran claims 150 francs from one Augustin Gouy de Nidal, due on a note dated May 24, 1729.

Action allowed.

Petition of Recovery. Dec. 24, 1729. Guillaume Bousquet alias Sansfacon moves for the citation of Jean Coupard to pay the sum of 246 francs and 15 sous, still due for value received in merchandise; as appears by note of Nov. 15, 1728.

Action allowed.

Petition to Recover Value of Slave. Dec. 24, 1729. La Boullaye was allotted a certain slave who proved incorrigibly lazy, or obstinate, when set to work. The said slave has died, and petitioner seeks to obtain a slave in compensation, from estate of the late Latour Poulladon, owner of deceased slave.

Action of inquiry allowed.

Motion For Inquiry. Slave Suit. Dec. 29, 1729. Attorney General Fleuriau relates the case of an unprofitable slave, supposed to have been wittingly palmed off on Mr. La Boullaye through the late Surgeon De La Tour's easy knowledge of slaves' fitness or unfitness. Let execu-

tor of the deceased surgeon's estate be cited, together with all persons likely to have knowledge of the facts at issue.

No note by Court.

Faded.

Petition to Seize Assets. Dec. 30, 1729. Messrs. DePerier and Delachaise advanced 5000 francs to the late Mr. Kolly, for which he gave them his note dated March 29, 1728. Mr. K. now "finds himself included in the Natchez massacre," and the petitioners move to secure their loan by seizing a certain consignment which has arrived for Mr. K. by the ship L'Alexandre. Let Mr. Rossard, attorney for vacant estates, be cited.

Approved, and meanwhile the said consignment may be seized.

Bruslé.

Attachment of Goods. Dec. 30, 1729. In consequence of proceedings moved by Messrs. Perrier and Delachaise, Sheriff Dargaray seizes the consignment for late Mr. Kolly; comprising three casks of wine, six quarters of flour, six "anchors" (about 96 gallons) of brandy, and a box of groceries. Mr. Pellerin, Company store-keeper, is notified to appear with reference to sale and award.

Summons to Pay claim. Dec. 30, 1729. Mr. Rossard, attorney for vacant estates, is notified to appear on January 7, 1730, to pay the claim of Messrs. Perier and Delachaise against Kolly estate.

Duplicated.

Decisions in Sundry Suits.

Dec. 31, 1729.

1. Guillaume Bousquet *vs.* Jean Coupart. Claim allowed.
2. Morand *vs.* Augustin Gouy de Bidal. Claim allowed.
3. R. P. Raphael *vs.* Rossard. Adjustments by SCRAWL.
4. R. P. Raphael *vs.* Rossard. Further in process.

CABILDO ARCHIVES—FRENCH PERIOD.

Edited by Henry P. Dart.

THE FIRST CHARITY HOSPITAL FOR THE POOR OF NEW ORLEANS.

(Supplement to No. VII, Vol. 3, No. 4.)

Transfer of Site of Hospital to Sr. Raguet by Joseph Villars Dubreuil and
Appraisement of Building Material.

May 10, 1736. Joseph Villars Dubreuil Retrocession to Raguet:

Before us, acting as notary at New Orleans and the hereafter named and undersigned witnesses, appeared Sieur Joseph Villars Dubreuil, Contractor for His Majesty's works, residing in this city, who has acknowledged and admitted having sold, ceded, transferred, retroceded and relinquished, and by these presents does sell, cede, abandon, transfer, retrocede and relinquish from this moment and forever, without any other guarantee than the facts and promises only to Sr. Raguet, Councillor in the Superior Council of Louisiana, in the name of and as testamentary executor of deceased Jean Louis, whilst living a resident of this city and first founder and benefactor of the establishment of a hospital for the poor and sick of this city, said Raguet being present accepting for himself as well as for those who will succeed him in the inspection and administration of the hospital in question, and this in conformity with the deliberations held relative to a site situated in this city, measuring twenty fathoms frontage by forty in depth; on which there is a house of about fifty-feet in length by twenty-two in width, built on the ground, of timber and surrounded by planks, (weather boarded?), with a kitchen of twenty feet encased in the same manner, with a chicken house and other commodities, circumstances and dependences of the said lot, which he purchased from the Ste. Reine Concession, by judicial adjudication made to him on the twenty second of last October, for the sum of twelve hundred and fifty livres with costs of court therein included, which he paid cash at the time to Sr. Raguet, attorney for the Widow Kolly proprietress of the said Concession Ste. Reine, which said sum has presently been remitted and paid to him by said Sr. Raguet, for which he acquits and discharges him. He has also paid to him a sum of two

thousand one hundred and eighty livres for all furnishings, labor and repairs which he made on the said house and its dependences, according to the estimate and memoir on the other part and transferred here as per agreement between the said purchaser and the said vendor and the R. F. Philipe, Vicar General and Cure of this city, by means of which payments of the principal as well as of the repairs heretofore mentioned and of the said lots, houses, circumstances and dependences which are hereafter to serve as a hospital for the poor and sick inhabitants of Louisiana, which shall be for and belong to the said hospital in full ownership, the vendor making full cession and transfer in the best possible form, without he or his successors being able to claim nor pretend to anything thereof, as he has presently remitted into the hands of the said purchaser all the titles to the property which were remitted to him, of all of which he is satisfied, for thus has it been agreed and settled between the said appearers, promising, obligating, renouncing in good faith and done and passed at New Orleans, on the tenth of May, one thousand seven hundred and thirty-six, in the presence of Srs. Pierre Dreux and Alexandre Portier, hereafter mentioned witnesses, the said parties and me, notary here residing.

Signed: 'Raguet,' "Du Breuil," "Portier," (paraph) "Dreux," (paraph of) "Henry Clerk", (paraph) "R. P. Philipe."

Statement of appraisement of the necessary work to be done on the Charity Hospital of this City, agreed on with M. Dubreuil, contractor for His Majesty's work, according to price and agreement with M. Raguet, inspector and administrator of the said hospital.

Firstly, for rafters of new wood throughout the building, length and width;

To change thirty posts to new ones of cypress in good condition; 300L.

To make foundations of bricks, two and a half feet in height by two feet in breadth, length and width; at 300L. for pavement in brick squares and to repair the chimneys, at 50L.

For roof of new shingles, work, furnishings, nails and lathes, at 300 L.

For the same repairs to be made to the kitchen with a new chimney and oven, the whole in good condition; at 300L.

To fence in the lot with new stakes, ten feet high, when set and lathes in place, furnishing the necessary nails for the lathes; at 250 L.

For furnishing the nails to be used for the fence and to repair the main house, the kitchen and its roof, one hundred livres; 100 L.

For all the joiner's work, viz.: repairing the doors and shutters, making six new doors, with two sides, including those of the garden, of the yard and the stairway with planks and nails therefor; at 1700L.

Further, for locks for said doors and two iron supports to the yard and garden doors, three locks and three latches; at 120L.

Further, for repairing the chicken house and to partly cover it with bark and to surround it with planks, and all necessary furnishings; at 100 L.

To mend and clear the garden, to dig it up and to plant vegetables and level the yard;; at 80 L.

Further, to make a brick way the whole length of the lot, five feet in width and to make the drainage around the lot; at 60 L.

Total, two thousand one hundred and eighty livre (2,180 L.)

Done and agreed at New Orleans, on the fifth of May, one thousand seven hundred and thirty-six.

The original signed: "Dubreuil and Raguet."

VILLARS DUBREUIL RETROCESSION A RAGUET.

Pardevant Nous faisant fonction de Notaire ala Nouvelle Orleans et les témoins cy apres Nommés sous fut présent Sieur Joseph Villars Dubreuil Entrepreneur des travaux de Sa Majeste demt en Cette Ville, Lequel a Recennu et Confessé avoïd Vendu cédé transporté, Retrocédé et délaissé, et par ces présentes Vend, cede, quitte, transporte, Rétrocedé et délaïsse des maintenant pour toujours et a jamais sans aucune guarantye que de ses faits et promesses seulement au Sr. Raguet Conr au Con Supérieur de la oLuisianne au Nom et Comme Executeur testare de deffunt Jean Louis habt de cette Ville et premier fondateur et bienfaiteur des pauvres et malades de cette colonie, pour l'Etablissement D'un hopital Led Sr. aRguet demt en cette ville et cy

present et acceptant tant pour Luy que pour ceux qui Luy succederont Dans Linspection et Ladministration de Lhopital en question et ce conforme a la deliberation passée au sujet d'un Emplacement Située en Cette Ville de Vingt toises de front sur quarante de profondeur, et sur leq1 il y a une Maison batie dessus d'Environ Cinqte pieds de long sur Vingt deux de Large, Batie sur solle En Bois de charpante Et Entouree de planches, Ensemble Une Cuisine de Vingt pieds en quasse de meme facon avec poulailler et autres Commodites Circonstances et dependances dudit terrain, leq1 il a acquis de la Concession Ste Reine suivant Ladjudication Judiciaire qui Luy en a Este faite le Vingt Deux Oct.... dernier, pour la somme de Douze Cent Cinqte Livres en Ce y Compris les frais de Justice quil paya Comptant alors au Sr. Raguet procureur de Made. la Vve. Kelly propriétaire de lad. Concession Ste Reine Laquelle ditte somme luy a presentemt Este Remise et payé en Especes par led Sr. Raguet dont il len quitte et dessarge Comme aussy il luy a payé la somme de deux mil cent quatre vingts livres pour toutes les fournitures, travaux et Reparations quil a fait a lade Maison et ses dependances suivant le devis et Memoire De lautre part et transporte cy dessus ainsi que ledt acquereur en Estant Convenu avec led Sr. Vendeur et le R. P. philipe Vicair gñal et Cure de Cette Ville, au moyen desquels paymts tant du fond principal que des reparations cy devant Expliques et Lesd terrains maisons circonstances et dependances qui doivent servir dorenavant d'hospital pour les paubres et habitans malades de la Louisianne seront et appartiendront en toute propriete aud hospital le vendeur en faisant toute cession et transport en meilleure forme qui se puisse estre, sans que luy ny ses successeurs en puisse rien Réclamar Ny pretendre Comme aussy il a presmt Remis qui Luy auroient Estes Remis, dont il se tient pour Content, car ainsy a Este Convenu Et arrete Entre les foy Et a fait Et passé a la Nouvelle Orleans le Dixe may mil sept Cent trente six en presence des Srs. Pierre Dreux Et Alexandre portier temoins sousds demt les d partyes et Nous Notaire.

Raguet Du Breuil Portier Dreux,

Henry (paraphe) gffr Nre.

1 Soussignés—Word omitted in text and supplied.

Devis Estimatif des ouvrages quil est necessaire de faire a l'hospital de la Charite de cette ville Convenues avec Mr. Du Breuil Entrepreneur des travaux du Roy suivant le prix ez apres areste avec Mr. aRguet Inspecteur et odministrateur dud hopital.

Premierement pour solaivé en bois neuf le Batiment d'un bout a lautre longueur et largeur.

Et changer de trente poteau neuf tout de bois de sipre bien conditionnes cy 300 lv.

Pour faire les fondemens de briques de deux pieds et demi de haut sur deux depresseur longueur et largeur cy 300 lv.

Pour le pavé en Careau de brique et racomodé les Cheminées cy 50 lv.

Pour la Couverture en Bardeaux tout neuf facon fourniture Cloud et lattes, 300 lv.

Pour les meme reparations a faire a la Cuisine avec une Cheminee neuve et un four le tout bien Conditions cy 300 lv.

Pour entourer le terrain de pieux neuf de dix Pieds de hauteur poses et lattes en place avec fourniture des Clouds necessaire pour les lattes, 250 lv.

Pour fourniture des Clouds qui doivent entrer a lentourage et a raccomoder la grand maison la Cuisine et Couvertune d'icele Cent Livres cy Pour toute la menuiserie Scavoir Raccamoder les porteset les Contrevens faire six Portes neufs a deux Battants cy compris Celles du jardin de la Cour et de Lescalier avec planches et Clouds cy, 120 lv.

Plus pour la ferrure desd Portes avec deux vallets de fer au porte de Cour et Jardin, trois serrures et trois Locquets cy 120 lv.

Plus pour Raccomoder le poulailler le recouvrir d'Ecosse en partie et l'entourer de planche fourniture de totut ce quil faut cy 100 lv.

Plus pour Raccomeder et defricher le jardin le piocher et le faire planter de Legume et aplanir la Cour cy 80 lv.

Plus pour faire un Chemin pave de Brique la longueur du terrain Cinq Pieds de Large Et faire les Ecoulemens alentour du terrain cy 60lv.

Total deu mil cent quatre Vingts Livres 2189 lv.

Fait et arreste a la Nouvelle Orleans le Cinquieme May mil sept Cent trent six signé a lorginal, Dubreuil, Et Raguet.

EMANCIPATION OF MARIE ARAM, A SLAVE.

(Supplement to No. VI, Vol. 3, No. 4, p. 551.)

July 15, 1737. Fo. 7 (2102)

Contract of Tiocou with Director of Hospital.

Translation.

Before the Notary Royal of Louisiana and the hereafter named and undersigned witnesses, appeared Francois Tiocou, a free negro of the Senegal nation, residing in New Orleans, who, wishing to procure liberty for Marie Aram, his wife, a negress slave, has voluntarily acknowledged and admitted that he has engaged himself, and in fact engages himself, by these presents, with M. Raguet, Director of the charity hospital called the St. John, situated in this city, and with Rev. F. Philipped, Capuchin priest and Cure of the said place, Assistant Vicar General of His Grace of Kebecq (Quebec), here present, accepting for the said hospital that the said Tiocou work and exert himself for it and do all that he may be ordered and commanded to do at the said hospital for the service of the poor and sick who are now there and who may be there in the future, during the six coming and consecutive years, beginning on the first of January of the coming year, besides the remainder of the present year, during which time he will work at the said hospital without any remuneration whatever, being fed with provisions of the country and supported as the Inspector wills, at the completion of which time, as a reward for his work, the said Sr. Raguet and R. F. Philipe shall give and remit liberty to one Marie Aram, negress slave of the said hospital, wife of the said Tiocou, who shall be and shall remain a free subject of His Majesty, to have and to hold now and forever, without any one whomsoever being able to disturb her, and said Marie Aram will be considered as the other legitimate wives married to the subjects of the King. It has also been agreed that if the said Tiocou should leave before the six years have expired, he could claim nothing whatever as salary, for it has thus been agreed between the parties, each in good faith, promising, obligating, etc., renouncing all that is contrary to this. Done and passed in New Orleans, July 12th, before noon, in notary's office,

in the year one thousand seven hundred and thirty-seven, in the presence of Louis Hugault and Pierre Piquery, witnesses residing at said place, and as to said Tiocou, he has declared that he does not know how to write nor sign, whereon inquiries as per ordinance.

Signed: "Fr philippe, Cap. priest, Missy".

"Raguet".

"Piquery".

"Hugault" (paraph).

"Henry ntry" (paraph).

Pierre Piquery was the King's baker.

Hugault, was for a time clerk of the Superior Council.

Original Text:

Pardevant Le Notaire Royal ala Louisianne Et Les temoins cy bas Nommés et soubsignés fut présent françois tiocou Negre Libre de Nation Senegal demt ala Nouvelle Orleans Lequel voulant procurer la Liberté de Marie Aram so femme Negresse Esclave, a Volontairement Reconnu Et Confessé a Estre Engagé, Comme de fait il sEngage; par lesd présentes, avec Mr Raguet Con^r au Con^{el} Supr d ela Louisianne, au Nom et Comme Inspecteur de Lhopital de la charité apellé le St Jean scitué en cette Ville, et avec le R. Philipéd prestre Capucin Cure dud Lieu, et provicaire general de Mngr de Kebecq a ce present et acceptant pour led hopital pour par Led tiocou, travailler Et agir et faire tout ce qui Luy Sera ordonné et Commande pour ledt et le service des pauvres et malades qui y sont et Seront a Lavenir et cependant Lespace de six anneés prochaines et Consecutives sans discontinuation a commencer du premier Janvier de Lann'e prochaine outre Le Restant de la presente, quil travaillera audt hopital, Sans aucune Retribution pendant Leql temps Il sera Nourry aux Vivres du pays et Entretenu ala Volonte dud Sr Inspecteur, au bout Duquel temps, et pour Recompense desd travaux dud tiocou Led Sr Raguet et R P philipe aud nom Luy donneront et Remettront La Nommée marie aram Negresse Esclave dud hopital, et femme dud tiocou, Laquelle sera et demeurera Libre, et sujet de sa majeste pour Lavoir et garder a toujours et a Jamais sans que qui que sait puisse Liquieter, Laquelle marie aram sera Regardée Comme les autres femmes Legitimes mariées aux sujets du Roy,

a Este aussy Convenu que si led tiocou Vouloit quitter avant lesd six annees Expirées Il ne pourroit Rien Exiger d'aucune facon pour ses salaires, car ainsy a Este Convenu Entre les parties promettant chacun En foy, obligent, &c, Renoncant a toutes choses a ce Contraire fait et passe ala Nouvelle Orleans, Le douze Juillet avant midy Etude du Notaire, Lan mil sept cent trente sept, en presence de Louis hugault et pierre piquery temoins demt aud Lieu pour et alegard dud tiocou, a déclaré Ne scavoir Ecrire Ny signer de ce Enquis Suivant Lord^{ce}

Fr philippe pre Cap Misse

Raguet

PIQUERY

Hugault (paraph).

Henry ntry (paraphe)



LOUISIANA CONFEDERATE MILITARY RECORDS

By A. B. Booth, Commissioner Military Records.

It is reasonably certain, that there is not extant a complete and perfect record of the Individual Members of any Louisiana Confederate States Army Command.

The nearest approach to such a Record is to be found in the Records in the office of the Commissioner of Louisiana Military Records of such organizations, as served in the Army of Northern Virginia, where the discipline was perchance, best and where the muster rolls and reports were more promptly and regularly made.

These records do, however, furnish many thousand proofs of Individual Soldiers, complete and perfect, in establishing their devoted service to their country to the end of the strife.

Patriotic men who were either *killed* in battle, *died* in camp, or in hospital, *languished* in Northern prisons, until after the fall of the Confederacy, or were duly present and *paroled*, at the final surrender of the Confederate States armies.

It is a lamentable fact, however, that a very large number, many of whom had served with honorable records, to within a short time of the close of the war, *were absent without leave*, at the final surrender of their respective commands, and, therefore, *were not included* in the rolls of those actually surrendered and paroled: their orderly sergeants very properly not reporting them for parole.

They are themselves to blame, not the Parole Records, for their not being in the Parole Lists, with their former comrades in arms.

And the plight of such as these, as were in the Trans-Mississippi Department is aggravated by the fact, that at the surrender of General E. Kirby Smith, May 26th, 1865, it is said the Confederate Records, including the Muster Rolls, were *burned* at Shreveport, La., so that there were no Records left to even show their service up to near the time of final surrender.

Thus the whole burden of proof is thrown upon these absentees. This condition of absenteeism is fully established by many Official Records and papers, not only for the Louisiana Soldiers in the West, but also for those in other sections of the South.

Papers such as those which I will quote will show this deplorable state of affairs, a condition, which gives additional lustre to the devoted service of those noble men, whose devotion to duty and to country, nerved them to stand the final test of soldierly honors, and while their comrades were deserting from duty, and from them could yet stand firm and not lay down their arms, until they could do so honorably and deserving the parole, which is their certificate of loyalty, faithfulness, devotion to country, and to their enlistment oath.

These conditions are described by officers in command, some of whom I quote below, especially to show conditions in the Trans-Mississippi Department as follows:

Headquarters Trans-Mississippi Dept.

Shreveport, La., April 21st, 1865.

Soldiers of the Trans-Mississippi Army:

The crisis of our revolution is at hand. Great disasters have overtaken us. The Army of Northern Virginia and our Commander-in-Chief are prisoners of war. With you rests the hopes of our Nation, and upon your action depends the fate of our people. I appeal to you in the name of the cause you have so heroically maintained—in the name of your firesides and families so dear to you—in the name of your bleeding country, whose future is in your hands. Show that you are worthy of your position in history. Prove to the world that your hearts have not failed in the hour of disaster, and that at the last moment you will sustain the holy cause, which has been so gloriously battled for by your brethren east of the Mississippi.

You possess the means of long resisting invasion. You have hopes of succor from abroad—protract the struggle and you will surely receive the aid of nations, who already deeply sympathize with you.

Stand by your colors—maintain your discipline. The great resources of this Department—its vast extent, the numbers—the discipline, and the efficiency of this army will secure to our country terms, that a proud people can with honor accept, and may

under the Providence of God, be the means of checking the triumph of our enemy and securing the final success of our cause.

E. KIRBY SMITH,
General.

Houston, April 29th, 1865.

Brig. Gen. W. R. Boggs,
Chief of Staff, Shreveport.

I must have some reliable Cavalry; the little I have is scattered all over the state. Walker ought to be under my command. We must have unity. The men are deserting by tens and twenties a night.

J. B. MAGRUDER,
Major General Commanding.

Headquarters Forces Front Lines,
May 11, 1865.

Col. R. L. Capers,

Commanding Fifth Louisiana Cavalry:

Colonel: You will express my commendation and approval to the men of your regiment who have remained true to their colors, notwithstanding the force of example and temptation. The circumstances that surround us are peculiar, and we should act with that patriotism that has ever distinguished the soldier. The interest of the private and the officer is identical, for the power that is vested in the one arises only from the representation and obedience of the other. What particular object those unfortunate men, who secretly left their companions on the night of the 9th instant may have expected to accomplish is difficult to imagine. By this one step they lose the results of their long endurance and sacrifice, the reputation that they have won. I have no desire to force men against their wishes to struggle for their own freedom, and under no circumstances would I wish to lead into battle any body of men who desire to abandon the cause for which we have taken up arms. There is a time for all things, and men should not unduly precipitate their action. I have no doubt but that opportunities will be frankly offered for men to select their own course; and that no unreasonable violence will be exhibited by our superior officers, who have attested by the common perils that they have freely shared with us their devotion to the common weal. But the present is not the time for men to act. Intrusted with the

duty of the front, sacred responsibilities toward our comrades in arms require us to be vigilant and faithful; and even those who have or may determine to abandon the contest and go home will, if they desire to do so, have ample opportunities to execute their purposes, when, even if we had the desire, we would not have the power to retain them. How sad would be the spectacle of Louisianians turning upon each other those arms which they took up against a common foe, whose triumph this fraternal contest would consecrate. We have stood together in many trying scenes, and if we must part let us not part as enemies, but as brothers, dealing openly and frankly with each other, not going away from each other in the night as if we knew some wrong was being committed towards those who remain. Then while we remain together let us cherish toward each other the same confidence that has ever existed; and I trust that it is not necessary for me to say that the men will find in me one who sympathizes with their many sufferings and who has no disposition to exercise his authority for the purpose of oppression. In the short period your men have been attached to my command I have been pleased with them and gratified at their bearing; and I am confident if those men who left us the other night had come and conversed frankly with me they would now have remained, cheerful and contented with those now present with the regiment who have thus preserved their honor untarnished to the end.

I am, Colonel, yours respectfully,

J. L. BRENT,

Brigadier-General Commanding.

Headquarters Forces Front Lines,
Alexandria, La., May 13th, 1865.

Colonel R. L. Capers,
(Through Col. W. G. Vincent,
Commanding Brigade, etc.

Colonel: I regret to learn the sad *demoralization of your command*, but I take pleasure in expressing to you my conviction, that you have done all in your power to check it. I wish you to proceed with the debris of your Regiment to Mansfield to report to Brigadier-General Bagby. If you can cross Cane River at Monnett's Ferry, you will proceed via Natchitoches. If not, you can turn off to the right and go by Beasley's, Bellwood, Fort Jessup.

and Pleasant Hill. If on reaching Beasley's, you deem it advisable for supplies to march via Natchitoches you can do so, but this will be near fifteen miles out of your way. You can get meal early tomorrow morning at Boyce's Mill, and this evening you may move your Regiment to that vicinity, sending an officer to Monett's Ferry to meet you on your march tomorrow with the information relative to the crossing. I wish you to move with what you can carry, as rapidly as possible. Express my admiration to the officers and men of Company E at their *conduct*.

Respectfully,

J. L. BRENT,
Brigadier-General Commanding.

Houston, May 16th, 1865.

General E. Kirby Smith,

Commanding Trans-Mississippi Dept., Shreveport, La.

General: Major-General Walker refuses to give up the command for the present to Brigadier-General Bee, though he was informed that the order came from Department Headquarters. I wish De Bray's Regt. ordered to Harrisburg. A portion of the garrison at Galveston mutinied on Sunday. This arrangement will probably prevent another mutiny and save Houston. It is a burning injustice to me to deprive me of the command of the cavalry under these trying circumstances.

J. B. MAGRUDER,
Major General Commanding.

Houston, May 16th, 1865.

General E. Kirby Smith,

Commanding Trans-Mississippi Dept., Shreveport, La.

General: On the night of the 14th inst. from most reliable information, that can be obtained some 400 of the troops attempted to desert the post of Galveston. Colonel Smith by prompt action supported by Colonel Timmons' and Colonel Hobby's Regiments arrested their advance and restored quiet. I learn from Major-General Maxey, that, notwithstanding all his efforts, he cannot produce such a state of feeling in his division, as will justify him in depending upon their resisting. I have seen letters from intelligent officers in Walker's Infantry Division, who state that those troops will fight no longer. I have sent for Gen. Walker, and he will be here today; will add what he may say after I see

him. The officers and men insist upon dividing the property before the surrender, and I think it ought to be done, as I have telegraphed you. I have exerted myself more than I ever did to instill a spirit of resistance into the men, but in vain. I but make myself antagonistic to the Army and an object of their displeasure. Nothing more can be done except to satisfy the soldiers, to induce them to preserve their organization, and to send them in Regiments, etc. to their homes with as little damage to the community as possible. For God's sake act or let me act.

J. B. MAGRUDER,

Major General Commanding.

P. S.—I entirely concur in the foregoing. I will say in addition that my observation convinces me, that the troops of this district cannot be relied upon. They consider the contest a hopeless one, and will lay down their arms at the first appearance of the enemy. This is the unanimous opinion of the Brigade and Regimental Commanders of Forney's Division, whom I have this day consulted. The Cavalry are still firm and quiet, but only waiting for what they consider the inevitable result, viz, Surrender.

Respectfully, Etc.,

J. G. WALKER,

Major-General Commanding Div. of Cavalry.

Headquarters Forces Front Lines,

Alexandria, May 13th, 1865.

Colonel L. A. Bringier,

Commanding Seventh Louisiana Cavalry.

Colonel:

General Brent has directed me in his temporary absence to open all communications to him marked "personal" or "private," and if they related to official matters requiring immediate attention to refer them to Col. Vincent, commanding the front.

In accordance with those instructions your communication of the 16th instant was referred to Colonel Vincent, who would respectfully direct you to use your own discretion in granting leaves of absence to your men for such time and purpose, as you think best consistent with preserving Regimental organization. Indeed, with the whole country *filled with deserters with arms in their hands*, the question would naturally arise whether many of those, who have thus far remained true and fast to their colors

should not be allowed to go home to defend their families. The fact can no longer be concealed, that the whole Army and people, with scarce an individual exception, are resolved to *fight no more*, and to break up the Army at all hazards. All is confusion and demoralization here, nothing like order and discipline remains. Heavy desertions and plundering of Government property of every kind is the order of the day. There are but eighty-six enlisted men at the forts. All the commands of every arm of the service at and near Alexandria are destroyed, viz: Yoist's and McMahan's Batteries; the Heavy Artillery and Infantry at the forts, the Third and Fifth Louisiana Cavalry. The Second Cavalry still *retains* its organization,, but there have been *heavy desertions*, the men are thoroughly demoralized and all may leave at any moment; in a word, Colonel, the army is destroyed and we must look the matter square in the face and shape our actions (personally and officially) accordingly. The Colonel Commanding commends you highly for your success in preserving thus long your organization and so many men. He thinks that all that can be expected of you is to use every mild and conciliatory means to preserve your Regimental organization, but any violent measures to restrain desertions now is believed both by him and General Brent to be conducive of no good results, and would only tend to exasperate the soldiery and cause them to commit depredations on citizens, besides endangering the lives of *officers uselessly*. The Colonel Commanding hopes the tenor of this communication will be properly understood; it is designed to be merely advisory, and you are left free to act as you think best and at the same time to *preserve* regimental organization.

Respectfully,

D. F. BOYD,
Asst. Adjt. Gen.

Headquarters Forces Front Lines,
Alexandria, May 20th, 1865.

Colonel L. A. Bringier.

Commanding Seventh Louisiana Cavalry.

Colonel: The Colonel Commanding congratulates you on your safe arrival at Tanner's with your train. He directs that you remain at or near Tanner's till further orders, and if you find yourself unable to preserve your train, you will distribute your

wagons and teams to responsible planters in the neighborhood of your camp, taking a receipt, "to be returned on your order." It would be worse than useless to attempt to bring your train here. Every wagon and mule would be *stolen* in less than four hours after your arrival. There is corn at Tanner's, at your own depot, it is said, and also Government beeves in the swamps near by. Col. Vincent believes, therefore, that you will have no difficulty in subsisting your command. He furthermore impresses upon you the necessity of preserving your regimental organization intact, and for that reason, and the fact that General Brent expressly ordered that your leave of absence be withheld till further orders. Colonel Vincent, in the absence of any order from General Brent on the subject, does not feel authorized to send you your leave of absence. He regrets, that he feels it his duty to contravene your wishes in that regard, but your presence is so necessary at all times to your command, and especially at this juncture, that he feels confident, that you will cheerfully acquiesce in his decision. General Brent is now on the Mississippi River attempting to negotiate a surrender of General Hays' command, District of West Louisiana. The Louisiana Generals are acting independently of General Smith and General Buckner, who are determined in no event to surrender, have now no hope of success, and would bring ruin on Louisiana and Texas merely to enable them to escape with a Corporal's Guard into Mexico. For these reasons Louisiana must look out for herself, and there is but little doubt, that in a few days the district will be surrendered on the terms granted General Taylor. Inclosed please find copy of General Order from Headquarters. Should you have any difficulty to subsist, let it be known; an effort (but in vain we fear) will be made to relieve you.

Respectfully,

D. F. BOYD,

Assistant Adjutant-General.

This shows the trying and unsatisfactory condition of affairs just before the final surrender of General E. Kirby Smith's Army on May 26th, 1865.

It was indeed a situation to test the loyalty and soldierly qualities of the Confederate troops in the Trans-Mississippi Army, both officers and men.

It is indeed an honor to such officers as our creole fellow citizen (long since deceased) Col. L. A. Bringier and the men

who remained steadfast in the performance of duty until honorably surrendered and paroled.

It is also a credit to the Cavalry branch of the service that they showed up as well as they did under these very trying conditions; when so many of their comrades in arms, especially in other branches of the service, had weakened, and left, unmindful of their duty, to remain subject to orders, to the end. The federal parole list here became a roll of honor, certifying to the loyalty of every Confederate soldier, surrendered, and paroled in the Trans-Mississippi Department; and in fact all over the south.

This does not mean, however, that there are not some who served to the end of the war, and who were really entitled to and deserving of paroles—who will *not* show on our parole lists, or have record in our publication, showing service to the end of the war.

But the number is comparatively small, and it would appear that they themselves were at fault, through some neglect of duty.

There were some, however, who were absent on short furlough which extended beyond the date of surrender. Others were on detail service in the Commissary, Quartermaster, or Ordnance departments, away from their commands, and who may have failed to come in and get paroled, at the time of surrender. Some others were absent, wounded or on sick furlough, or in hospitals at a distance, and may not have been accounted for by the orderly sergeant, or officer who turned in the eligibles for parole.

These are of course unfortunate cases, unfortunate alike to the soldier, and to his posterity, but fortunately there are not very many of these.

I hold however that where *all the record* the Government has of a soldier is *good* and no faltering or neglect of duty, is found recorded against him, and his service is shown to the end of 1864; great charity should be exercised toward him, and he should be given the benefit of the doubt in honoring his record if living, or memory if dead, or in extending the pension benefits to him or his widow if such survive him.

The rather chaotic condition prevailing everywhere at the front in 1865, would appear to give some justification to such extension of charitable consideration to those whose good record previously, would somewhat extenuate their fault of absence at the last moment, of the most crucial test.

Such charitable consideration for those who are unfortunate could in no way detract from the honor and glory due to every soldier, who died on the battle field or in camp, or who languished in Northern prisons to the end, or was honorably discharged for sickness, or wounds, or who was paroled at the end of the war.

Our publication will perpetuate the certificate of honor which these have earned and they can afford to be charitable to their comrades of good record, otherwise, but who were unfortunate at the end.

Fortunately at the close of the war between the States the muster rolls and Confederate papers captured by the Union Army from the Confederates, were sent to the War Department, and were there saved, collated and compiled for reference papers.

But the people of the States both North and South were refused access to them for forty-five years after the war.

The State of Louisiana was the first state to make the fight to get access to these records, and was the first state to succeed in getting access to them for historical purposes, although many states North and South had applied and had been refused by department ruling.

And it was nearly four years after the attempt to collate and compile records of the Louisiana Confederate soldiers was begun by Commissioner Thomas W. Castleman, that through the aid of our members of Congress, he finally got access to the vaults containing these Louisiana records.

He then commenced the photographing of the records—which work had to be done under supervision of a Government official who counted and controlled each piece, and watched that no changes could be made in the rolls. (See postcard and photo accompanying this.)

All of these photographs of war rolls, of Louisiana Confederate troops, are now in the office of the Commissioner of Military Records.

They exhibit over 450,000 photographs of individual card records of service of Louisiana soldiers.

There are 24,199 photographed record sheets of which 413 are photographs of copies made in the War Department, Washington D. C., of rolls borrowed from Memorial Hall, New Orleans, La., in 1903 for the purpose of copying them.

We have also 39,249 envelope card records of paroled soldiers, prison records, death lists, etc.

We estimate the enlistment from Louisiana in the Confederate Army at about 56,000 and with re-enlistments other than twelve months regiments, which re-enlisted as commands, would go to 65,000 names. When we complete our publication, the number will be more accurately established.

The appropriation for the ensuing two(2) years ending June 20th, 1920, may enable the completion of the compilation and the publication of the individual record of each soldier in alphabetical form A to Z for future reference, and also a brief history of the 980 companies and the various commands from Louisiana, which will add interest and usefulness to the work for all time; then the office of Commissioner of Louisiana Military Records, can be abolished without injury to the Confederate soldier, as far as he is concerned.

The manifold demands of public duties, as well as official work, has prevented my having time to make this paper as comprehensive, as the subject justifies.

But perchance I may have tried your patience already, and therefore out of consideration for this audience, I will close by inviting their attention to an addenda to this paper, showing local designation of 980 companies, which organized in Louisiana.

And also showing the dates of six hundred engagements—great and small in Louisiana during the four (4) years of the Confederate war; most of these were of course skirmishes.

The publication of both of these tabulations like our other publications when completed, would, I am sure, interest many thousand descendants of Louisiana Confederate soldiers; and be a just and lasting tribute and monument to the soldier himself.

The compilation alphabetically of the individual soldier's record is a work, which requires the most painstaking integrity, that only facts be published, and that no omissions are permitted, which could detract from, or mar the good name of any soldier that served.

ADDENDA.

Alphabetical list and local designations of Louisiana organizations in the Confederate Army comprising Infantry, Artillery, Cavalry and Militia—980 military companies organized in Louisiana:

Alexander Rifles (Company 24, Regt. La. Infy, Co. K. Cres. Regt.)

Alexandria Independent Guards, La. Militia.

Alfred Davis Guards, Company G, Miles Legion, Louisiana.

Algiers Guards, Company A, 30th La. Infy. Served also as Algiers Battn. La. Militia.

Algiers Artillery, Baker's Co. Algiers Battn. La. Militia.

Algiers Co., La. Militia, Ind.

Allen Rifles, Company 1, 26th La. Infy.

Allen Guards, Company I, 23rd La. Infy.

Alligator Rangers, Co. F, 2nd La. Cavalry.

American Rifles, Co. G, 7th La. Infy., Co. F, Sumpter Rifles.

American Rifles, Co. B, Co. C, 30th La. Regt. Infy.

American Rifles, subsequently became 8th Co. F, Sumpter 30th La. Mil. Regt.

Amite City Rifles, La. Militia, Ind.

Anacoco Rangers, Co. K, 19th La. Infy.

Arcadia Guards, Co. F, 18th La. Infy.

Arcadia Invincibles, Co. B, 12th La. Infy.

Armstrong Guards, Co. K, 14th La. Infy, Sulakowski's Regt.

Ascension Guards, La. Militia, Ind.

Asenheimers 1st, Co. B, Co. B 20th La. Infy.

Askew Guards Co. C, 14th La. Infy, Sulakowski's Regt.

Askew Greys, Co. F, Kennedy's 21st La. Infy.

Assumption Creoles, Co. C, 26th La. Volunteers.

Atchafalaya Guards, Co. H, 2nd La. Infy.

Atchafalaya Mounted Scouts, Battn. La. Cavalry.

Attakapas Guards, Co. C, 8th La. Infantry.

Attakapas Rangers, La. Mil., Ind.

Austrian Guards Co., 4th Regt., European Brig. La. Mil. Vol.

Avenco Rifles, Co. I, 13th, afterwards Co. G., 14th La. Infy.

Avoyelles Fencibles, La. Militia, Co. A., Johnson's Spec. Battn.

Avoyelles Rifles, La. Militia, Ind.

Baker Guards, Capt. F. Lang's Co., Continental Regt., La. Mil. Vols., also Co. F, H. Lew's Battn., Regt. La. Mil.

Barlow's Battery, Capt. Wm.*P. Barlow, Ind.

Baton Rouge Fencibles, Co. B, 7th La. Infy.

Baton Rouge Guards, served in E. Baton Rouge Regt., Ind.

Baton Rouge Invincibles, Co. B, 9th, 17th Battn. La. Inf.

Baton Rouge National Guards, La. Mil., served in E. Baton Rouge Regt., Ind.

Baton Rouge Rangers, Co. B, 1st La. Cavalry.

Battalion La., Cazadores Espanoles, Louisiana Legion.

Bayliss Battn., Par. Rangers, Capt. W. H. Bayliss, Ind.

Bayou Boeuf Cavalry Guards, La. Mil., Ind.

Bayou Boeuf Home Guards, La. Mil., Ind.

Bayou Goula Co., La. Mil., served in Iberville Regt., Ind.

Beauregard Battn. Battery La. Mil.

Beauregard Cadets, 2nd Brig. 1st Div. La. Mil., Ind.

Beauregard Fencibles, Co. K, afterwards I, 12th La. Inf.

Beauregard Guards, La. Mil. Co. C, La. Irish Regt. La. Mil.

Beauregard Invincibles, Co. K, afterwards I. 12th La. Inf.

Beauregard Mounted Lt. Grds., La. Mil., Ind.

Beauregard Rangers, Co. D, Cres. Regiment La. Inf., 24th Regt., La. Inf.

Beauregard Rangers, La. Mil., Ind.

Beauregard Rebels, La. Mil., Ind.

Beauregard Regiment, Col. F. A. Bartlett's La. Regt., La. Mil.

Beauregard Rifles, Co. —, 30th La. Inf., Co. K Sumpter Regt.

Co. A Beauregard Battn., La. Mil.

Beauregard Siege Art., La. Mil., Ind.

Beauregard Siege Battery, Capt. Theo. Morano's Co., La. Arty.

Beauregard Tigers, La. Mil. Co. F, Jeff Davis Battn. & Regt.

Beauregard Creek Rifles, Co. G, 4th La. Inf., also Co. E. 9th Battn., La. Cav., Cav. (P. R.) after Wingfield's 3rd La. Cav.

Belgian Legion, La. Mil., Ind.

Belgium Infantry, Louisiana Legion.

Bell Battery, Capt. T. O. Benton's Co., La. Arty.

Belmont Guards, La. Mil., served in Beauregard Regt., Ind.

Ben McCullough Rangers, Ind.

Ben McCullough Rangers, Capt. Wm. F. McLean's Ind. Co. 2nd La. Inf.

Benton's Battery, Bell Batty., 4th La. Batty., 3d La. Batty., served as Co. C 3rd Battn., Fld. Batty., Ind.

Bienvenu Guards, Capt. A. Lartigue's Co., La. Vols.

Benjamin's Co., La. Cav., Independent Co.

Bienville Rifles, Co. B, 8th La. Inf.

Bienville Rifles, La. Mil., disbanded at Camp Moore declining to serve for the war, Ind.

Bienville Blues, Co. C, 9th La. Infy.

Bienville Guards, Co. C, 5th La. Infy.

Bienville Guards, Lartigue's Co., King's Spec. Battn., La. Infy.

Big Bend, Co —, Capt. W. J. Rusk, Ind.

Big Cane Rifles, Co. K, 16th La. Infy.

Black River Mtd. Rifles, served in Concordia Regt., Ind.

Black Yagers, Co. B., 22nd, afterwards 21st La. Infy.

Black's Rifle Guards Co., Jackson's Regt., La. Infy., 5th Battn.

Blakesley Guards, La. Mil. Co., 4th Regt., French Brig.

Blucher Guards, La. Mil., Capt. Hy. Miester, Ind.

Boeuf River Rebels, Co. B, 27th La. Infy.

Bogart Guards, Co. C, 3rd La. Battn., afterwards Co. H. 15th La. Infy.

Bonford Guards, Co. A, Kennedy's 21st Regt., La. Infy.

Bonnabel Guards, La. Militia, Co. 4th Regt., French Brig.

Boon's Battery, 2nd Field Batty., attached to Miles Legion.

Bossier Cavalry, Capt. Thos. W. Fuller's Ind. Co., La. Co. C 6th La. Cav., attached to an Ala. Cav. Regt., also Co. B, Wimberley's Squadron, La. Cavalry.

Bossier Volunteers, Co. D, 9th La. Infy.

Bossier Rangers Vols., Co. A, 1st Battn., State Grds. Cav., also called 13th Battn.

Boyles, Com B, 30th Regt., La. Infy.

Bragg Cadets, Co. D, 26th La. Infy.

Bragg's Escort, Guy Dreux's Ind. Co., La. Cavalry.

Bragg's Guards, La. Mil., Capt. Frank Dalfers, Ind.

Briarfield Rebels, Capt. A. J. McNeils Co., La. Cavalry.

Brice Guards, La. Militia, Capt. Ewell Eastman, Ind.

Bridges Battery, Capt. Wm. M. Bridges, attached as Co. D to 18th S. C. Battn. Arty., Ind.

Briarfield Rebels, La. Cavalry, Capt. A. J. McNiel, as Co. D, 6th or 61st. Battn. Ark. Cavalry, later Co. C. 24th Ark. Cav., Ind.

Brown's Battery, Hannibal, Lt. Arty. Co. B, Consolidated with Guiber's Mo. Battery, Ind.

Brown's Co., La. Mil., Capt. A. F. Brown, Ind.

Brush Valley Guards, Co. H, 9th La. Infy.

Burnside Guards, La. Militia, Capt. Edward Conery, Ind.

Burton's Co., in LaFourche Regt., La. Militia.

Butler's Revengers, Co. A, Miles Legion, La. Cav.

- Caddo Confederates, Co. I, 27th La. Infty.
Caddo Co., La. Militia, Capt. Wm. H. Bayliss.
Caddo Fencibles, Co. C, 16th La. Cav.
Caddo Lake Boys, Co. F, 17th La. Inf.
Caddo Light Horse, Co. A, 6th Regt. La. Cav.
Caddo Militia, Capt. B. R. Bickham's Co., 4th. Regt. French
Brig., La. Mil. Vols.
Caddo Pioneers, Co. —, 27th La. Inf.
Caddo Rifles, Co. A. 1st La. Inf.
Caddo 10th and 19th La. Inf.
Cage's Battn., La. Cav., with Miss. Cav. and 14th Battn.,
Confed. Cav.
Calcasieu Rangers, Capt. W. E. Ivey's Co., La. Cav.
Calcasieu Volunteers, Co. A, King's Spec. Battn. La. Inf.
Calcasieu Tigers, Co. B, King's Spec. Battn., La. Inf.
Calcasieu Invincibles, Co. C, King's Spec. Battn., La. Inf.
Calcasieu Guards, Co. D. King's Spec. Battn., La. Inf.
Caldwell Avengers, Co. B, 31st Regt., La. Inf.
Caldwell Guards, Co. I, 3rd La. Inf., Jeff Davis Battn. Regt.,
La. Mil.
Caldwell Invincibles, Co. A, after G. 12th La. Inf.
Caldwell Rangers, Caldwell Regt., La. Mil.
Calhoun Guards, Co. B, 6th La. Inf., also Continental Regt.,
La. Mil. Vols., Independent Co.
Calhoun Guards, Co. C, Co. G. Irish Regt., La. Mil.
Campbell Guards, Co. A, 5th Battn., La. Inf.
Cameron's Battery (Art.) attached to 15th Battn., Cav. and
afterwards to Harrison 3rd La. Regt., Cav. 4th La. Fld. Art.
Campaigners La. Vols., 26th Co., La. Mil.
Canfield's Co., Mtd., Rangers, La. Mil., Ind.
Cannon Guards, Co. D, 11th La. Inf.
Cannon Guards, Co. — Jackson Regt., La. Inf., formerly
Kennedy's 5th Battn. Inf.
Capitol Guards, La. Mil., (served in E. Baton Rouge Regt.
La. Mil., Ind.)
Capt. Volunteers, La. Mil (served in E. Baton Rouge Regt.,
La. Mil., Ind.)
Camouche's Co. of Cavalry, attached to Brent's Cavalry Bri-
gade.
Carondelet Invincibles, Co. I, 5th La. Inf.

Carondelet Lt. Inf., La. Mil., served as Co. —, in Beauregard Regt.

Carroll Dragoons, Capt. Lott's Co., La. Cav., Ind. Co.

Carroll Guards, Co. L 11th La. Inf., after Co. E, 20th La. Inf.

Carroll Rebels, Co. D, 29th (4th Battn.), La. Inf.

Carrollton Reserve Grds., La. Mil. Co. D, Jeff Davis Battn. and Regt. La. Mil. Vols.

Carter Minute Men, La. Militia (Independent).

Carter Rangers, La. Militia (Independent).

Caruthers Sharp Shooters, also called Copland Caruthers Shp. Shooters, Co. D, 9th Battn., La. Infantry.

Castor Guards, Co. I, 16th La. Infy.

Catahoula Avengers, Co. E, 31st Regt., La. Infantry.

Catahoula Battalion, Co. D, 31st La. Infy.

Catahoula Fensibles, Co. D, 31st La. Infy.

Catahoula Greys, Co. G. 11th La. Infy.

Catahoula Guerillas, Co. D, Wheat's Battn., La. Infy., afterwards Co. I, 15th La. Regt. Infy. (2nd Polish Brigade.)

Catahoula Rebels, Co. C, 17th La. Infy.

Cazadores Espanoles, Col. Nevil Soule's Regt., La. Militia.

Cazadores Espanoles, 1st Co. Co. A, Cazadores Regt., La. Mil. Espanoles.

Cazadores Espanoles, 2nd Company B, Cazadores Regt., La. Mil, Espanoles.

Cazadores Espanoles, 3rd Co. C, Cazadores Regt., La. Mil., Espanoles.

Cazadores Espanoles, 4th Co. D, Cazadores Regt., La. Mil. Espanoles.

Cazadores of St. Bernard, Co. G, Cazadores Regt., Es. La. Mil.

Cazadores Espanoles Regt., Family Caz. Esp., Battn. La. Mil.

Chalmette Rifle Guards, Co. B, 5th La. Infy.

Chalmette Guards, La. Militia, Co. B. Fire Battn. and Regt., La. Militia.

Chalmette Battalion, La. Volunteers.

Chasseurs a Pied, alias Foot Rifles, also called St. Paul's Foot Rifles, 7th Battn., La. Infy.

Chasseurs a Pied, La. Militia, Company B, Johnson's Spl. Battn.

Chasseurs D'Orleans, Foreign Brigade, La. Legion 1st Regt. Chas. a Pied, Co. D, Cassd., Regt. Espan. La. Mil., also Jackson Rifle Battn., also Ind. Co.

Chasseurs St. Jacques, Co. E, 18th La. Infy.

Chasseurs of Jefferson Co., A. Cav. La. Mil., served in 9th Regt., 1st Brigade, La. Militia.

Chasseurs de la Fayette, La. Mil. Capt. Hy. H. Michelet, Ind.

Chasseurs de la Fourche, La. Militia, Capt. Chas. Lesseps, Ind.

Chasseurs de la Gard, La. Mil., served 5th, Co. 6th. Regt. European Brig.

Chasseurs St. Michel, La. Mil., served in St. James Regt., Ind.

Chasseurs du Teche (Cav.) La. Mil. Capt. Chas. Tertron, La. Mil.

Cheyneville Blues, Co. H, 8th La. Infy. (Sometimes Rifles.)

City Defenders, Co. D., Jackson Rifle Battn. La. Mil.

City Fire Guards, La. Mil., Co. D, Orleans Fire Battn. Regt.

La. Mil.

City Guards La. Mil. attached to National Gd. Regt., Capt. Wm. T. Dean, Ind.

Citizen Guards, Co. B. La. Mil. Continental Regt. La. Mil. Vols.

Citizen Guards, Co. A, Continental Regt., La. Mil. Vols.

Claiborne Greys, Co. D. 19th La. Infy.

Claiborne Guards, Co. F. 2nd La. Infy.

Claiborne Invincibles, Co. D. 28th La. Infy.

Claiborne Invincibles, Co. K. 17th La. Infy.

Claiborne Rangers, Capt. T. M. Scott's Co. 12th La. Infy.

Claiborne Rebels La. Mil., Capt. Allen C. Hill, Ind.

Claiborne Volunteers, Co. C. 19th La. Infy.

Clay Guards Co. B. Beauregard Battn. & Regt. La. Mil.

Clinton Guards La. Mil. Capt. J. J. Smith, Ind.

Clinton Rebels La. Mil. Capt. A. S. Norwood, Ind.

Clouett Guards Co. K. Chalmette Regt. La. Mil. Vols.

Coach Makers Guards Co. in Bragg's Battn. La. Militia.

Cochran's Co. Cavalry-Macon Cav. La. Mil.

Cole's Rangers, See Mounted Rangers, La.

Columbia Fire Guards Co. H. Orleans Fire Battn. Regt. La. Militia.

Colyell Guards Co. G. 9th La. Infy.

Compagne, due Voliguere, Co. 2nd Regt. French Vols. 2nd Regt. Europ. Brig. La. Mil.

Concordia Rifles, Co. F. 13th La. Infy. Sulakowski's afterwards 14th La.

Confidence Fire Guards La. Mil. Co. F. Orleans Fire Battn. Regt. La. Mil.

Confederate Defenders, Harrison's Battn. Cavalry La.

Confederate Defenders, Co. A. 31st La. Infy.

Confederate Guards, (Response Battn.) also called Confed. Grd. Battn. 12th Battn. La. Infy. Consolidated with Cres. Regt.

Confederate Guards, Co. H. 18th La. Infy.

Confederate Guards, Artillery Capt. C. C. Lewis' Co. La. Mil.

Confederate Guards Regt. La. Mil. Vols.

Confederate Guards Reserve La. Mil. Ind. Co. Capt. Jas. J. Hanna.

Confederate Guards Response Battn. also called Confed. Grd. Batt. La. Vols.

Confederate States Rangers, Co. K. 10th La. Infy.

Confederate States Zouaves, Maj. St. Leon Dupeir's La. Infy. Battn.

Continental Guards Co. A. 7th La. Infy.

Continental Cadets, La. Mil. A company in Cont. Regt. La. Mil. Vol.

Continental Guards, Co. F. 11th La. Inf.

Continental Guards, Co. B. Continental Regt. La. Mil. Vols.

Continental Regiment, Col. George Clark's Regt. La. Mil.

Cooper's Guards La. Mil. Capt. Jno. C. Weaver.

Coppen's 1st Battn., C. S. Zouaves La. (La. Zouaves).

Corner Co. of Avoyelles La. Mil. 1st Lt. V. Gremillion, Ind.

Cornil Guards La. Mil. Capt. David Pearson.

Cotton Plant Guards La. Mil. Co. E. La. Irish Regt. La. Mil.

Cotton Plant Guards, Co. B. La. Mil. Co. E. Irish Regt. La. Mil.

Cotton Guards La. Mil. Co. E. Jeff Davis Battn. & Regt.

Court Glee Grds. La. Mil. (also C. G. Minute Men) Capt. Dupre Guidry, Ind.

Coushatta Rifles La. Mil. R. H. Simmons Capt. Ind.

Creole Rebels La. Mil. Capt. J. J. Ducoye Co. C. Johnson's Spl. Battn.

Creole Chargers, Co. G, 1st La. Cav.

Creole Guards, Co. A. 8th La. Inf. served also E. Baton Rouge, Regt. La. Mil. Ind.

Creole Rebels La. Mil. Vols. Capt. E. P. Doremus Ind.

Crescent Artillery, Capt. T. H. Hutton's Co. A. La. Arty.

Crescent Artillery La. Mil. Capt. H. F. Wade, Ind.

Crescent Blues, Capt. John Knight's Co. Crescent Regt. La. Vols. Co. E, Beauregard Battn. Regt. 24th Regt. La. Inf. also Co. G, Sumpter Regt.

Crescent Cadets, Co. I. Sumpter Regt. La. Mil.

Crescent City Blues, Co. B, or C, La. Foot Rifles of Battn. Co. K, 15th La. Regt. Inf.

Crescent Blues Co. A. La. Mil. Capt. Bartlett, 3rd Co. H, Cres. Regt.

Crescent City Guards, Co. A, 5th La. Inf.

Crescent City Guards, Co. B, after A. Crescent Regt. La. Vols.

Crescent City Guards, Co. C. after F. Cres. Regt. La. Vols.

Crescent City Native Guards, Co. in 1st Regt. Native Grds. La. Mill.

Crescent City Rifles, Co. B, 1st Battn., La. Inf., also Co. B, 24th La. Regt. Inf., Crescent Regt.

Crescent Rifles, Co. B. 1st Battn. La. Inf.

Crescent Rifles, (Co. B.) Co. E, 7th La. Inf.

Crescent Rifles, (Co. C.) Co. H, 7th La. Inf.

Crescent Rifles, (Co. D.) after B. Crescent Regt. La. Vols.

Crescent Regiment, also called 24th & Cons. Cres. Regt. La. Inf. orig. Mil.

Crescent Reserve La. Mil. Capt. J. A. Halls Co. Orleans Fire Battn. La. Mil.

Crescent Zouaves, Capt. W. F. Fry, Ind.

Crockett Southrons, Capt. E. Currie's unattached Co. La. Vols.

Cronan Rebels La. Militia Capt. C. Evans.

Crosgrove Guards La. Mil. Co. B. Lewis Battn. Regt. La. Mil.

Cuban Rifles Co. Co. C. Jackson Rifle Battn. La. Mil.

Dardennis Guards, Co. I. 30th Regt. La. Infy.

Dauer's Artillery Capt. J. F. Dauer's Co. La. Arty. Mil.

Davenport Rebels, Co. G. 15th La. Infy.

Davidson Guards La. Mil. (Alexandria, La.) Capt. Jno. W. Addison, Ind.

Davidson Guards La. Mil. Capt. W. E. M. Linfield Ind.

Davis Guards Co. H. 1st. La. Infy.

Davis Guards Cavalry Co. G. Miles Legion La.

Davidson Guards, Co. D, (Beauregard Regt. & Battn. La. Mil. also 2nd Co. I, Cres. Regt.)

De Clouet's Guards, Co. D. Guard Battn. Regt. La. Mil.

De Feriet Guards Co. I. Chalmette Regt. La. Mil. Vols.

Defenders Falkner's Cav., Co. D, 3rd ((Harrison's) La. Regt., Cav. form Co. I, Pargoud's Regt.

De Gournay's, afterwards Kean's La. Battery, 12th Batty., served as Co. E, 1st Battn., La. Zouaves.

Delhi Guards, La. Mil., Capt. D. Pinkney Smith, Ind.

Delta Rifles, La. Mil., Capt. Hugh Breen, Ind.

Delta Rangers, Co. C, Wheat's Battn., La. Infy.

Delta Rifles, Co. F, 4th La. Infy.

Denson's Cavalry Co., Capt. W. B. Denson, Caddo Light Horse.

Derbigny Guards, Co. B, 10th La. Infy.

De Soto Blue, Co. F, 9th Infy. Regt.

De Soto Creoles, Co..K, 3rd Co. K, Cos. H, K, 19th Regt. La. Infy.

De Soto Rangers, De Soto Regt. La. Mil.

De Soto Rifles, Co. D, 5th La. Infy.

Dillon Guards, Co. A, 11th La. Infy.

Dixie Guards, La. Militia, Capt. F. H. Pugh, Ind.

Dixie Rifles, Co. —, 27th La. Infy.

Donaldsonville Arty., Capt. V. Maurin's Co., La. Arty., attached as Co. B, to Garnett's afterwards Richardson's Battn., also known as Landry's Battery.

Donaldsonville Arty., Co. B, also called Cannoneers of Donaldsonville.

Dubloon Guards, La. Mil., Capt. W. H. Waters, Ind.

Downsville Guards, La. Mil., Capt. Jas. B. Landers, Ind.

Dreux's Co., La. Cav., served as escort to Gen. Beauregard, Bragg, Hood and Johnson.

Dragoons of E. Baton Rouge, La. Mil., Capt. H. M. Pierce, Ind.

Ducote Guards, La. Mil., Capt. J. J. Ducote, Ind.

Duncan Lt. Infy., La. Mil., Capt. Paulin Grandpere.

Duverge Guards, La. Mil. Co. Algiers Battn., La. Mil., also Co. E, 9th Regt., 1st Brig., La. Mil.

East Feliciana Guards, Co. A, 16th La. Inf., also East Feliciana Regt., La. Mil.

Eclaireurs of Jefferson, La. Mil., Ind.

Edmonston's (J) Independent Battn., La. Mil. Vols.

Ed. Moore Rangers, Co. A, 1st La. Cav.

Edward Thompson Guards, Beauregard Battn. Regt., Ind.

Edward Guards, Co. B, 16th La. Inf.

Eight Battn., La. Arty., W. E. Pinkney, Lt. Col.
Elam Guards, Co. B, 29th La. Inf., also called 28th (Thomas).
Emerald Guards, Co. E, 9th La. Inf.
Emmet Guards, Co. D, 1st Inf., Nelligan's Regt., Co. in La.
Irish Regt., La. Mil.
Empire Rangers, Co. D, 13th after 14th La. Inf., after Co. B,
15th La. Inf.
Engineers Co., 1st Regt. French Vol., La. Mil., 1st Regt., Eu-
ropean Brig.
Esplanade Guards, Co. F, Orleans Guards Bttn. Regt., La.
Mil.
European Brig., Louisiana Militia.
Evergreen Invincibles, Co. H, 16th La. Inf.
Family Home Guards, La. Mil. Ind., Capt. J. T. Degrais.
Farmer Guards, Co. C, after D, 12th La. Inf.
Farmer Rangers, Co. H, after K, 12th La. Inf.
Fassman Guards, La. Mil., Capt. Jas. Powers Ind.
Fausse River Guards, Co. in King's Spl. Battn., La. Inf.
Feilleux, (after Daner's) Batty. La. Mil., attached to Battn.

Vols.

Fenners Battery, La. Arty.
First Special Battn., La. Vols., also Wheat's Special Battn.
Florence Guards, Co. F, 20th La. Inf.
Floyd Guards, Co. G, 2nd La. Inf.
Forstall Guards, Co. I, 10th La. Inf.
France-American Guards, La. Mil., Capt. Simon Richard, Ind.
Franklin Guards, La. Mil., Capt. H. B. Smith, Ind.
Franklin Life Guards, Co. C, 4th Battn., La. Infy.
Franklin Sharp Shooters, Co. E, 9th Regt., La. Infy. Vols.
Franklin Rangers, Co. B, 1st Battn., La. State Grds., Cav.,
also known as 13th Battn.
Franko Rifles, Co. B, 13th, afterwards 14th, La. Infy.
Frappe d'Abord, Co. H, Chalmette Regt., La. Mil. Vols.
Frellson Guards, Capt. Geo. R. Canadine's Co., La. Mil. Ind.
French Co. of St. James, La. Mil., Ind. Co.
French Capitol Guards of East Baton Rouge, also called
"Rough" Ind.
French Co. of Berwick Bay, Capt. A. Cardillas, Ind.
French Co. of Donaldsonville, La. Mil., Capt. C. J. Boulanger,
Ind.
French Co. of Iberville, La. Mil., Capt. Pierre Artaux, Ind.

French Co. of Lafayette, La. Militia, Capt. B. Cazaandebat,
Ind.

French Co. of Pointe Coupee, La. Militia, Capt. A. Verneuil,
Ind.

French Co. of St. Martin, La. Mil. Capt. Pierre Cabrol, Ind.

French Co. of St. Mary, La. Mil., Capt. Frederick Robin,
Ind.

French Co. of Thibodaux, La. Mil., Capt. Jean Pierre, Ind.

French Legion of Terrebonne, La. Militia, Capt. Jean Besse,
Ind.

French Volunteers, La. Mil., Capt. A. Gauthier, served in St.
Martin Regt., Ind.

Fulton Guards, Co. in Bragg's Battn., La. Militia, Co. H,
Leeds' Guard Regt., La. Mil., Vols.

Furman Rangers, Co. E, 2nd La. Cavalry.

Fusiliers, No. 1, Capt. Henerich Gerdes, Ind.

Garnett Rangers, Capt. Jas. Borges Co., La. Mil.

Garibaldi Guards, Co. F, Cazadores Regt. Espanoles, La. Mil.

Gentilly Rangers, Co. G, Chalmette Regt., La. Vols.

German Guards.

German Guards, La. Militia, Capt. Roemer, Ind.

German Yagers (or Joegers), Co. I, 22nd Regt., La. Infy.

Gleen Guards, Co. F, 1st Regt., 1st Brig., and in Beauregard
Rgt., La. Mil., Beauregard Battn.

Galden Rifles, Co. H, 13th La. Infy.

Gobers Regt., La. Cav., called 5th Regt., part 9th and 18th
Battn., La. Infy.

Gorday's & Cornay's Battery, St. Mary Cannoneers, 1st La.
Field Battery.

Governor's Guard, 1st, 2nd, 3rd, 4th, 5th and 6th Cos., 13th
Inf.

Government Mechanic Guards, Co. E, Lewis Battn., Regt. La.
Mil.

Greenleaf's Co., La. Cav., See Orleans Light Horse.

Greenwood Guards, Co. I, 2nd La. Inf.

Gretna Fire Guards, La. Mil., Co. G, La. Fire Battn. and Regt.
La. Mil.

Grivot Artillery, Capt. J. T. Holmes' Co., La. Arty.

Grivot Fancy Guards, Co. E, 26th La. Inf.

Grivot Guards, Co. E, 1st Battn., La. Inf.

Grivot Guards (Co. B), Co. H, 26th La. Inf.

- Grivot Guards (Co. C), Co. C, after Co. F, 26th La. Inf.
Grivot Partisan Rangers, Indep. Co., La. Cav.
Grivot Rifles, Co. E, 15th La. Regt. Inf., Vol. (2nd Polish Brig.)
Gross Tete Creoles, Co. C, 15th La. Inf.
Gross Tete Flying Artillery, 6th Batty., La. Arty.
Gross Tete Rangers, La. Mil., Capt. C. W. Keep, Ind.
Gulf Guards, Co. E, Chalmette Regt., La. Vols.
Guards de St. Bernard, Co. D, 12th Regt., 2nd Brig., 1st Div., La. Mil.
Hannibal Light Artillery, Co. Brown's Battery.
Hansa Guards, Cos. A, B, C, D, E, and F, 4th Regt., European Brig., La. Mil., Vols.
Hardee Rifles, La. Mil., Capt. Jos. Andrews, Ind.
Hawkins Guards, Co. D, after K, 10th La. Inf.
Hayes Champions, Co. D, 18th La. Inf.
Heaton Guards, Co. F, Chalmette Regt., La.
Henry Clay Guards, Capt. A. B. Seeger's Co., 9th Regt., 1st Brig., 1st Div., La. Mil., also Algiers Battn., La. Mil.
Henry Hart Guards, La. Mil., Capt. Chas. L. Aitkens.
Henry Marshall Guards, Co. F, 19th La. Inf.
Herrick's Co., Co. E, 20th Regt., La. Inf., also known as Orleans Blues.
Hewitt Guards, Co. C, 10th La. Inf.
Hickens Guards, See Noel Rangers, New Co. B, 20th Regt., La. Inf.
Hickory Guards, Co. A, Capt. Jno. Cavanaugh, Ind.
Hildreth Guards, La. Mil., Capt. Geo. R. Wells, Ind.
Hinston Guards, La. Mil., Capt. Thos. J. Lester, Ind.
Hollins Rangers, La. Mil. of De Soto Parish, Ind.
Home Guards, La. Mil. of De Soto Parish, Ind.
Home Guards, 1st Brig., 1st Div., La. Mil., Capt. Wm. W. Wilson, Ind.
Holmes Light Guards, Co. C, 11th La. Infy.
Holmes Battery, attached to 1st La. Cavalry.
Home Guards, La. Mil., Capt. Jas. O. Fuqua, Ind.
Homestead Rangers, La. Mil., Capt. Jas. W. Martin, Ind.
Hope Guards, La. Militia, served in Assumption Regt., Capt. Wm. M. Marks, Ind.
Howard Guards, Co. —, Chalmette Regt., La. Vols.
Huckins Guards, Co. B, 20th La. Infy.

- Hunter Rifles, Co. A, 4th La. Infy.
 Hunter Guards, La. Mil., Capt. Levy, Ind.
 Hunter Rifles, Co. B, 4th La. Infy.
 Hussars of the Teche, Co. D, 10th Battn., La. Infy. (Formerly Cav. Co.)
 Iberville Greys, Co. A, 3rd La. Infy.
 Iberville Guards, Co. D, 27th La. Infy.
 Iberville Rangers, Co. D, 2nd La. Cavalry.
 Iberville Regt., La. Militia, 6th Brig.
 Independent Capitol Arty. of East Baton Rouge, La. Mil., Capt. J. N. Foose, Ind.
 Independent Co., La. Cavalry, Co. A, 2nd La. Cavalry.
 Independent Guards, La. Militia (Served in St. Mary's Regt., Capt. J. Edmond, Ind.)
 Independent Guards of East Baton Rouge, Mil., Capt. Jos. C. Charotte, Ind.
 Independent Orleans Arty., also called Orleans Arty., Capt. Paul F. De Gournay's Co., La. Artillery.
 Independent Rangers of East Baton Rouge, La. Mil., Capt. David H. Penny, Ind.
 Independent Rangers, Co. E, afterwards Co. B, 12th La. Infy.
 Independent Rangers (Cav. Squadron) of Iberville, La. Mil., 1st Co.
 Irish Brigade, (Co. A) Co. I, 6th La. Infy.
 Irish Brigade, (Co. B) Co. F, 6th La. Infy.
 Irish Volunteers, Co. F, 7th La. Infy.
 Irish Volunteers, Capt. L. Doyle's Co., La. Irish Regt., La. Militia.
 Irving Guards, Co. —, — La.
 Isle of Wright Blues.
 Jackson Arty. of Algiers, Capt. Jno. Mitchell's Co., La. Arty.
 Jackson Arty., Co. A of Algiers, La. Mi., served in 9th Regt., 1st Brig., La. Militia.
 Jackson Arty., Co. B of Algiers, La. Mil., served in 9th Regt., 1st Brig., La. Mil.
 Jackson Avengers, La. Mil., Capt. Gus. Lauve, Ind.
 Jackson Battalion, 5th Battn., La. Inf., merged into 21st La. Inf., Jackson Regt.
 Jackson Greys, Co. K, 9th La. Inf., Vols.
 Jackson Guards, La. Mil., Capt. Louis Gastinel, Ind.

- Jackson Home Guards, La. Mil., Capt. W. M. Hughes, Ind.
Jackson Mounted Rifles, La. Mil., Capt. G. A. Scott, Ind.
Jackson Rangers, La. Mil., Capt. W. F. Clark, Ind.
Jackson Rifles, La. Mil., Capt. H. L. Pond, Ind.
Jackson Regiment, 21st La. Inf., formerly Kennedy Battn.,
5th Battn., La. Inf.
Jackson Regt., La. Mil., served in 1st Brig., 5th Div., and in
11th Brig., La. Mil.
Jackson Sharp Shooters, Co. D, afterwards C, 12th La. Inf.
Jackson Sharp Shooters, Lieut. A. C. Simonon's Co.
Jackson Railroad Rifles, Co. in Continental Regt., La. Mil.
Jackson Volunteers, Co. F, 28th La. Inf.
Jackson Volunteers, Co. C, 1st Battn. of Inf. (Terrell's).
James Jackson Guards, La. Mil., attached to Beauregard
Regt., Ind.
Jameson Light Guards, Co. K, 20th La. Inf.
Jeff Davis Regiment, Col. Alex Smith's Regt., La. Mil.
Jeff Davis Lt. Guards, Capt. Jos. C. Daymon, Ind.
Jefferson Arty., Co. A, La. Mil., Capt. A. B. Carbonnet.
Jefferson Blues, Continental Regt., La. Mil., Vols.
Jefferson Cadets, Co. B, formerly Co. C, after A, 14th Regt.,
La. Inf.
Jefferson Chasseurs, La. Mil., Lt. J. H. Harvey, Ind.
Jefferson Confederate Guards, Co. A, La. Mil., Co. B, Jeff
Davis, Battn., after Regt.
Jefferson Confederate Guards, Co. B, La. Mil., Co. C, Jeff
Davis Battn., after Regt.
Jefferson Fire Guards, La. Mil., Co. C, La. Fire Battn. and
Regt., La. Mil.
Jefferson Guards, La. Mil., Capt. Fred. Wallbrecht, Ind.
Jefferson Light Guards, La. Mil., Capt. Thos. La. Maxwell,
Ind.
Jefferson Mounted Guards, Capt. Guy Dreux's Ind. Co. Cav.
after Gen. Beauregard's Body Guard Dreux's Co. Cav.
Jefferson Mounted Guards, Capt. Millandon's Co. B, Cav. La.
Mil.
Jefferson Rangers, Co. A, Jeff Davis Battn. after Regt. La.
Mil. Vol.
Jefferson Rifles, La. Mil., Capt. Jules G. Dreux, Ind.
Johnston Rifles, La. Mil., Co. B, La. Irish Regt., La. Mil.
Keachi Warriors, Co. E, afterwards I, 19th La. Infy.

- Kean's Battery, La. Arty. (De Gournay's Battery).
Kelso's Battery, La. Mil., Capt. Jno. Kelso, Ind.
Kennedy Battn., 5th Battn. La. Infy., which afterwards became Jackson's Regt., 21st La. Infy.
Kenner Guards, La. Mil., Capt. John B. Humphreys, Ind.
Kirks Ferry Rangers, La. Mil., called Cav. Co. of Catahoula, Ind.
Kirk Guards, Capt. R. S. Kirke's Co., Continental Regt., La. Mil. Vols.
King's Spec. Battn., La. Infy.
Knights of the Border, Capt. C. Buchanan's Co., La. Vols.
Koscinski, Guards-Whann Rifle Grds., Co. E, Kennedy's 21st Regt., La. Infy.
Labauve Guards, Co. B, 11th La. Infy.
Lecompte Guards, La. Militia and Co. A, 2nd Regt., La. Infy.
Lafayette Light Artillery, Capt. Joseph Lewis, Jr.'s Co., La. Mil.
Lafayette Guards, Co. in Bragg's Battn., La. Militia.
Lafayette Minute Men, La. Militia, served in Lafayette Regt. Ind.
Lafayette Prairie Boys, Co. A, 26th La. Infy.
Lafayette Co. No. 2, La. Mil., Capt. Gustave Lehmann.
Lafayette Rangers, La. Mil., served as Co. G, 9th Regt., 1st Brig., Ind.
Lafayette Regt., La. Militia, served in 1st Brig., 4th Div. and 9th Brig.
Lafayette Rifle Cadets, Co. E, 13th La. Infy.
Lafayette Volunteers, Co. A, Fire Battn., afterwards Regt. La. Militia.
Lafourche Creoles, Co. G, 18th La. Infy.
Lafourche Dragoons, La. Mil., R. G. Darden, Ind.
Lafourche Guards, Co. E, 4th La. Infy.
Lafourche Hunters, La. Militia, Capt. Chas. Lesseps, Jr., Ind.
Lake Borne Co., Spanish Regt.
Lake Providence Cadets, Co. C, 4th La. Infy.
Lamonthe's Battery, La. Mil., Co. 4, attached to La. Legion, Ind. Co. in Lafourche Regt., La. Militia.
Landrum Guards, Co. E, 17th La. Infy.
Landry's Battery, Donaldsonville Arty.
Landry's Guards, La. Mil., also called St. Landry Grds, Ind.

Laughlin Light Guards, Capt. T. O. Laughlin's Co., La. Mil., 9th Co. in La. Irish Regt., La. Mil.

Le Bisque Battery, Co. B, 12th Battn., La. Arty., afterwards Castellanos Battery and De Gournay's Hy. Arty.

Lecompte Guards, Co. G, 2nd La. Infy.

Lee's Co., Capt. J. C. Lee, La. Militia, Ind.

Lee Guards, La. Mil., served as Co. D, 9th Regt., 1st Brig., Ind.

Leeds Guards, Battn. Regt. La. Mil., Col. Chas. J. Leeds, La. Mil., Vols.

Leeds Light Horse, also called N. O. Lt. Horse, Orleans Lt. Horse Cav.

Le Gardeur's Battery.

Leeffe Guards, La. Mil., served in Beauregard Regt., Ind.

Lemmon Guards, Co. C, 9-17 Battn., La. Infy.

Lewis Guards Co., 30th La. Infy., Co. H, Sumpter Regt., La. Mil. and Lewis Battn. Regt., La. Mil.

Lewis Guards, La. Militia, called Lewis Rifles, Capt. H. Meister, Ind.

Linton Light Infy., La. Militia, Capt. P. Grandpere, Ind.

Lipscomb Co., Co. E, 20th La. Infy.

Livingston Home Guards, Co. Local Defense Troops, La.

Livaudaus Guards, Co. E, Confed. Grds. Regt., La. Mil., Vols.

Livingstons Rifles, Co. K, 27th La. Infy.

Local Defense, Capt. Saml. J. Norwood's Co., La. Cavalry.

Lockport Home Guards or Lockport Guards, La. Militia, Ind.

Long Rifles, Capt. J. Carcou's Co., La. Vols., Co. C, Cazadores Esp. Regt., La. Mil.

Lonsdale Guards, Co. Jackson's Regt., La. Infy.

Louisiana Defenders, Battn. La. Mil., Vols., also called 7th Battn. La. Vol.

Louisiana Dragoons, Co. K, 1st La. Cavalry.

Louisiana Guard Defenders, 3rd Co., La. Defenders Battn., La. Mil.

Louisiana Fire Battn., afterwards Regt. La. Militia.

Louisiana Grays, Transfd. to Monroe Rifles Co. K, 5th La. Infy.

Louisiana Guard Artillery, Capt. Camille E. Girardey's Co., also borne as Green's Co., La. Arty., orig. Co. B, 1st La. Infy.

Louisiana Guards, 1st Battn., La. Mil., East Baton Rouge.

Louisiana Guards, Co. A, of East Baton Rouge Co., La. Gd., 1st Battn., La. Militia.

Louisiana Guards, Co. E, of East Baton Rouge Co., La. Gd., 1st Battn., La. Militia.

Louisiana Guards, Co. A, 1st Battn., La. Infy.

Louisiana Guards, Co. B, 1st La. Infy.

Louisiana Guards, Co. C, 1st La. Infy., Co. C, 1st Battn. Inf.

Louisiana Guards, Co. D, Crescent Regt., La. Infy., Co. C, 24th Regt., La. Infy. Regt.

Louisiana Irish Regt., Col. P. B. O'Brien's Regt., La. Mil.

Louisiana Independent Rangers, La. Militia.

Louisiana Guards of Livingston Parish, Capt. J. J. Cotton, La. Mil.

Louisiana All Hazards, La. Mil., Capt. A. L. Guxman, Ind.

Louisiana Legion Regt., Infy., La. Mil.

Louisiana Mounted Rangers, also called Cole's Rangers, Ind. Co., La. Cav.

Louisiana Musketeers Co., 29th La. Infy.

Louisiana Native Grds. Co., 1st Regt. Native Grds., La. Mil.

Louisiana Rebels, Co. F, 10th La. Infy.

Louisiana Sappers and Miners, Independent Co., La. Vols.

Louisiana Scouts, Capt. W. G. Mullen's Independent Co. of La. Vols.

Louisiana State Guards, Co. A, 30th Regt., La. Infy., also Co. I, Confed. Grds. Regt., La. Mil. Vols.

Louisiana State Grds., Co. B, 30th Regt., La. Infy., also Co. K, Confed. Regt., La. Mil., Vols.

Louisiana State Guards, Co. G, 5th La. Infy.

Louisiana Swamp Rifles, Co. E, 10th La. Infy.

Louisiana Tigers-Wheat's Battn., La. Infy.

Louisiana Turcos, Co. H, 15th La. Infy. (Supposed to be but not found as such.)

Louisiana Turcos, La. Vols., Capt. Hy. Pardeaux, Ind.

Louisiana Volunteers, Co. B, 20th La. Infy. See also Reichards Battn.

Louisiana Zouaves, Battn. La. Infy.

Lovell Light Infy., also 1st Art., Co. I, Leeds Grds., Battn. Regt., La. Mil., Vols.

Lovell Rifles, Co. B, 26th La. Infy.

Lovell Guards, La. Mil., Co. F, Leeds Grds., Battn. Regt., La. Mil., Vols.

Lovell Scouts, Independent Co., La. Cav., Capt. David Ker.
Macon Cavalry, La., Assigned to Starkes' 28th Cav., became
part 24th Ark. Cav.

Madison Infantry, Co. A, 4th Battn., La. Inftry.

Madison Cavalry, La. Militia, Capt. Sam Anderson, Ind.

Madison Light Artillery, Original Madison's Arty. (Madison
Tipperarys afterwards Capt. Geo. V. Moody's Co., La. Arty.)

Madison Parish Infantry Co., La.

Madison Tipperary's, See Madison Lt. Arty., La. Moody's
Battery served in Alexander's and Hegers Battn., Reserve Arty.

Magazine Guards, Co. G, 6th Regt., 1st Brig., 1st Div.

Maddox's Regt., Reserve Corps, Col. W. A. Maddox.

Madison Co., La. Mil., Capt. W. P. Peck, Ind.

Madison Dragoons, La. Mil., Capt. C. H. Moore, Ind.

Magnolia Guards, Continental Regt., La. Mil., Vols.

Magee Guards, Continental Regt., also Co. E, Lewis Battn.,
Regt. La. Mil.

Magnolia Guards, Capt. F. Roder's Co., La. Mil. See Co. D,
Lewis Battn., Regt. La. Mil.

Magnolia Guards, La. Mil., Capt. R. M. Montgomery, Ind.

Manassas Rifles, Co. A, Chalmette Regt., La. Inf.

Mandeville Rifles, La. Mil., Capt. Chas. Morgan.

Mann Rifles, Co. I, 20th La. Inf.

Mansura Guards, La. Mil., Co. E, Johnson's Special Battn.,
La. Mil.

Marion Artillery, Lieut. Jean Descant's Co., La. Arty. attach-
ed to European Brig.

Marksville Guards, La. Mil., Co. D, Johnson's Spl. Battn., La.
Mil.

Marion Guards, Co. D, 21st after 22d, La. Inf.

Marion Rangers, La. Mil., Co. C, Cres. Regt. called 24th Regt.

Marion Infantry, Indep. Co., La. Inf. on provost duty in Dis-
trict of Mobile.

Marion Rangers, Co. B, La. Cav. Regt.

Martin's Scouts, Co. K, 6th Regt. Cav.

McCall Guards, Co. A, 23rd La. Inf.

McCall Guards, Co. B, 23d La. Inf., after Co. A, 22d Rgt., La.
Inf.

McClure Guards, Co. G, 13th after Co. D, 14th La. Inf.

McCown Regiment, 21st Regt., La. Inf.

McCree Rangers, Co. in Bragg's Battn., La. Mil.

McCulloch Rangers, Ind. Co., La. Inf., after Co. A, 59th Va. Inf.

McClellan Guards, Co. D, Kennedy's 21st Regt., La. Inf.

McLaurin Invincibles, Co. K, 27th La. Inf.

McRea Rangers, Co. F, Beauregard Battn. & Regt. La. Mil.

McWaters Rangers, Capt. J. A. McWaters, Co. La. Cav.

Mechanic Guards, La. Mil., Co. G, Leeds Guard Battn. Regt.

La. Mil. Vols.

Mechanic Guards, La. Mil., Capt. Lanbach's Co., La. Mil.

Mercer Guards, Co. E, 6th La. Inf.

Meschacebe Native Guards, La. Mil., Co. 1st Regt. Native Grds. La. Mil.

Miles Artillery, Capt. Claude Gibson's Co., La. Arty., Attached to Miles Legion, Co. K, 22d and 21st La. Inf. Dents Batty. formerly Robertson's C. S. Arty.

Miles Legion, La. Vols., Wm. R. Miles, Col.

Miliken Bend Guards, Co. E, 9th La. Infy. Vols.

Minden Blues, Co. G, 8th La. Infy.

Minden Rangers, La. Cavalry served as Co. A, Wimberley's or Webb's Squadron, La. Cavalry.

Milneburg Fire Guards, La. Militia, Co. G, Orleans Battn., Regt. La. Mil.

Mississippi Native Guards, Co. in 1st Regt. Native Grds., La. Militia.

Mississippi Rifles No. 2, La. Mil., Capt. Fred Camerden.

Monroe Guard, Co. K, 5th La. Infy.

Monroe Rifles, Co. K, 5th La. Infy.

Montgomery Cadets, La. Militia, Capt. Volkmann, Ind.

Montgomery Guards, Co. B, La. Mil., Capt. J. B. Cunningham, Ind.

Montgomery Guards, Co. F, 1st La. Infy.

Montgomery Guards, Co. C, Co. H, Irish Regt., La. Militia.

Monticello Rifles, Co. H, 3rd La. Infy.

Moody's Battery, Madison Light Arty.

Moore Guards, Co. K, 2nd La. Infy.

Moore Fencibles, Co. A, 9th La. Infy.

Moreau Grds., La. Militia, Capt. L. Moreau's Co., La. Mil.

Morehouse Avengers Co., 25th La. Infy.

Morehouse Rangers, La. Cavalry, Capt. Danl. Newton.

Morehouse Fencibles, Co. E, 3rd La. Infy.

Morehouse Guards, Co. B, 3rd Battn., 3rd La. Infy.

- Morehouse Southrons, Co. H, 17th La. Infty.
Morehouse Stars, Co. F, 12th La. Infty.
Morrison's Battn., La. Infty, Co. K, 31st Regt. La. Infty.
Mounted Engineers, Capt. C. W. Randolph's Co., La. Vols.
Mounted Rangers, Co. A, 16th Battn., La. Infty., Confed.
Grds. Response Battn.
Mounted Wild Cats, also called Independent Mtd. Wild Cats,
Indep. Co., La. Cavalry, Capt. Miller's Co.
Mullen's Co., Scouts or Shp. Shooters, Ind.
Murdock Guards, Co. C, 1st Battn., La. State Grds. Cav.,
also called 13th Battn.
Mustang Rangers, La. Militia, Capt. A. J. Johnson, Ind.
McPherson's Battery Orleans Howitzers, La. Militia.
Natchez Rifles Co., 4th Battn., La. Infty.
Natchitoches Rebels, Co. C, 18th La. Infty.
Natchitoches Cavalry Co., La. Mil., Capt. R. S. Rogers, Ind.
Natchitoches Mounted Guards, La. Mil., Capt. L. L. McLau-
ren, Ind.
National Guards, Co. B, 4th La. Inf.
National Guards (of St. James), La. Mil., Capt. F. E. Lapa-
ginier, Ind.
New Basin Guards, Co. H, 3rd Regt., 3rd Brig., La. Mil.,
also in 4th Regt., 1st Brig., 1st Div., La. Mil.
New Orleans Home Guards, La. Mil., served in N. O. Rifle
Regt., Ind.
New Orleans Reserve Guards, Capt. L. Davigneaud's Co., La.
Vols.
New River Rangers, Cav. 3rd Co. Cav. Battn., Miles Legion,
La. Vols., Ogdens Battn., La. Cav., also called 9th Regt.
Nixon Rifles, Co. H, 13th after Co. E, 14th La. Inf.
Noel Rangers, Co. B, 15th Battn., La. Inf., also New Co. B,
20th La. Regt. Inf.
North Louisiana Cadets, Co. F, after A, 12th La. Inf.
Norton Guards, Co. K, 13th La. Inf.
Norwood's Co., Capt. J. J., La. Mil., Jeff Davis Rangers, Ind.
O'Brien's Light Infty., Co. in La. Irish Regt., La. Mil.
Ogden's Cavalry Battalion, Battn. La. Cav., also called 9th
Regt.
Old Dominion Guards, Co. D, Wheat's Battn., La. Inf.
Opelousas Guards, Co. F, 8th La. Inf.
Opelousas Greys, La. Mil., Lt. C. H. Hamilton.

Opelousas Volunteers, Co. K, 18th La. Inf.

Opelousas Rifles, Capt. Jas. B. Israel, Ind.

Orleans Artillery, La. Mil., Served as Reserve Co. Orleans Battn. Art.

Orleans Battn. Arty., Indep. Battn., La. Arty., 12 months service; after attached to 23d La. Inf. as Cos. A, B, C, D, and Co. B, 2nd Co. 23d Regt. Inf.

Orleans Blues, Co. H, 10th La. Inf.

Orleans Blues, Co. A, Herrick's Co., Co. E, 20th La. Inf.

Orleans Blues, Co. B, Co. G, 20th La. Inf.

Orleans Cadets, Co. E, 5th La. Inf. (Perhaps Co. B.), also Co. C, Beauregard Battn. and Regt., La. Mil.

Orleans Cadets, Co. F, 1st Battn., La. Inf.

Orleans Cadets, Capt. R. L. Dolbear, 1st Co. L, Cres. Regt.

Orleans Cadets, Co. I, 18th La. Inf.

Orleans Cadets, Capt. J. E. Blanchard's Co., La. Legion also Co. in Sumpter Regt.

Orleans Cadets, Co. D, La. Mil., Co. B, Beauregard Battn. and Regt.

Orleans Cadets, Co. E, Co. H, 24th La. Inf. (Crescent Regt.)

Orleans Guard, Co. E, after Co. F, 30th La. Inf.

Orleans Claiborne Guards, Chaffins Co., also called Rough and Ready Rangers, Co. 1st Spec. Battn., La. Infy.

Orleans Fencibles, La. Militia, 8th Co. La. Irish Regt. La. Infy.

Orleans Fire Battn., afterwards Regt. La. Militia.

Orleans Good Will Fire Guards, La. Mil., Co. A, Orleans Fire Battn. Regt. La. Mil.

Orleans Guard Artillery, Independent Battn., La. Arty.

Orleans Guard Battn., Regt. La. Mil.

Orleans Guard Batteries, Cos. A, and B, Orleans Grd., Arty. Battn.

Orleans Guards, Co. A, 1st Battn., La. Infy.

Orleans Guards, 13th Battn., La. Infy.

Orleans Guards, Co. —, La. 3rd —.

Orleans Guards, Co. F, 30th La. Infy.

Orleans Guards Regiment, Col. Numa Augustin's Regt., La. Militia.

Orleans Guides, Cav. Co., Battn. La. Legion, La. Mil., Vols.

Orleans Howitzers, Capt. S. J. McPherson's Co., La. Mil.

Orleans Light Guards (Co. B), Co. G, 1st La. Infy.

Orleans Light Guards (Co. C), Co. K, 1st La. Infty.

Orleans Light Guards (Co. D), Co. F, 1st La. Infty.

Orleans Light Guards (Co. A), afterwards Co. D, 1st La. Infty.

Orleans Light Horse Cavalry, also called N. O. Lt. Horse and Leeds' Lt. Horse Ind. Co., La. Cav., Greenleaf's Co., La. Cavalry.

Orleans Rangers, Co. G, 10th La. Infty.

Orleans Racachas, La. Mil., Capt. J. A. Fremaux, Ind.

Orleans Rifle Rangers Co. H, 6th La. Infty.

Orleans Rifle Guards, La. Mil., Capt. J. A. Jacques, Ind.

Orleans Rifles, Co. H, 6th La. Infty.

Orleans Skirmishers, Co. I, 10th La. Infty.

Orleans Southrons, Co. F, 5th La. Infty.

Orleans Tirailleurs, Co. K, 23rd La. Infty.

Ouachita Blues, Co. B, 4th Battn., La. Infty.

Ouachita Guerillers Arty., Capt. J. Frank Lacy.

Ouachita Rangers, La. Mil., Capt. Frank Pargoud, Ind.

Ouachita Southrons, Co. A, 17th La. Infty.

Packwood Guards, Co. K, 4th La. Infty., Vols.

Panola Guards, afterwards Beauregard Rangers, Co. D, Cres. Regt. La. Infty.

Pargoud Vols., La. Mil., Capt. A. A. Lipscomb.

Payne's Co., La. Mil., Capt. A. H. Payne, Ind.

Peale Rangers, Capt. Hugh Breen, Ind.

Pelican Battery, 5th Battery La.

Pelican Greys, Co. A, 2nd La. Inf.

Pelican Guards, Co. B, Jackson's Rifle Inf. Battn., La. Mil., Vols., also Capt. O'Hara Co., Ind.

Pelican Guards of Iberville, La. Mil.

Pelican Rangers, No. 1, Co. H, 3rd La. Inf.

Pelican Rangers, No. 2, Co. D, 3rd La. Inf.

Pelican Regiment, 7th La. Inf.

Pelican Rifles, Co. A, 2nd La. Inf.

Pelican Rifles, Co. K, 3rd La. Inf.

Pemberton Rangers, Co. G, 6th La. Inf.

Perret Guards, Co. H, 5th La. Inf.

Perseverance Life Guards, Capt. S. B. Collins, Ind.

Perseverance Guards, Co. A, 21st, after 22nd, La. Inf., also Lewis Battn. Regt. La. Mil.

Perseverance Fire Guards, Co. E, Orleans, Battn. La. Mil.

Perseverance Guards, Co. G, after 22nd La. Inf.

Perseverance Native Guards, Co. 1st Regt., Native Grds.,
La. Mil.

Phoenix Co., Co. K, 8th La. Inf.

Phoenix Fire Guards, La. Mil., Co. C, Orleans Fire Battn.
Regt. La. Mil.

Phoenix Guards, Capt. Jos. S. Martin, Ind.

Phoenix Rifles, Co. D, 17th La. Inf.

Pickett Guards, Co. —, 26th La. Inf.

Pickett Rifles, Capt. John B. Vinet's Co., La. Vols.

Pickwick Froby's Co., Beauregard Battn. and Regt. La. Mil.

Pikemen of '61, La. Mil., Co. D, La. Fire Regt., La. Mil.

Pilie Rifles, Capt. Danl. Vancourt, Ind.

Pine Grove Guards, Capt. Thos. L. East, Ind.

Pinewoods Sharpshooters, Co. G, 16th La. Inf.

Pinkney Battn., 8th Battn., La. Heavy Arty.

Pioneers, Capt. C. D. J. Williams, Ind.

Pioneer Guards, No. 1, La. Mil., Co. D, La. Fire Battn. and
Regt., La. Mil.

Plain Rangers, served in E. Baton Rouge Regt., Ind.

Plain Store Rangers, Cav. 1st Co. Cav. Battn., Miles Legion,
La. Ogden's Battn. Cav.

Plaisance Guards, served in St. Landry Regt., Ind.

Planche Guards, La. Militia, Capt. J. B. Noble's Co.

Planche Rebels, Co. —, Chalmette Regt., La. Infy.

Planters Life Guards, Co. A. Cav. Battn., Miles Legion Vols.

Planters Guards, Capt. Jos. Torras, Ind.

Plaquemine Guards, served in 13th Regt., 2nd Brig., 1st Div.,
La. Mil.

Plaquemine Mtd. Rangers, La. Militia, Indep. La. Cavalry.

Plutus Guards, Co. in Bragg's Battn., La. Mil., also Co. in
Jeff. Davis, Battn., and Regt., La. Militia.

Pochelee Rangers, Co. H, Jeff Davis Battn. and Regt., La.
Mil.

Pointe Coupee Artillery, Battn., La. Arty.

Pointe Coupee Creoles, La. Mil., Co. D, Pt. Coupee Regt.

Pointe Coupee Light Infy., Capt. L. H. Troudeau, Ind.

Pointe Coupee Volunteers, Co. H, 11th La. Infy.

Police Guard, Co. "A", Co. —, Beauregard Regt.

Police Guard, Co. "B", Co. D, Beauregard Regt.

Polish Brigade, 13th, 14th and 15th La. Infy.

Polish Regiment, First 14th Sulakowski's La. Infy.

- Pontooniers, La. Mil., with Orleans Battn. Arty.
Port Hudson Guards, Capt. Randolph Cheek, Ind.
Prairie Rangers, Co. A, 1st Battn. La. Infy, afterwards
Todd's Independent Co. Cav. La. Vols.
Prairie Boys, Co. A, 26th La. Infy.
Protection Rifles, Capt. John Purcell's Co., La. Mil., Co. F,
Confed. Grd. Regt., La. Militia and Co. in 7th Regt., 1st Brig.,
1st Div., La. Militia.
Protection Guards, La. Militia, called also Protection Grds.
Prudhomme Guards, Co. G, 26th La. Infy.
Quitman Guards, served in St. Landry Regt. Ind.
Quitman Rangers, Co. H, 14th La. Infy.
Racachas No. 1, La. Militia, Capt. Aug. Abadie, Ind.
Racachas No. 2, La. Mil., Ed. Duncan, Ind.
Raceland Guards, La. Mil., Capt. Chas. Thibodeaux, Ind.
Radetzky Rifle Battery (Arty.) Co. Jackson's Regt. La. Infy,
5th Battn.
Rapides Co., La. Mil., Capt. A. S. Smith, Ind.
Rapides Rangers, Co. D, 1st La. Cavalry.
Rapides Invincibles, Co. I, 8th La. Infy.
Rapides Rangers, Lt. T. McFeeley's Co., Ind.
Rapides Terribles, Co. C, 27th La. Inf.
Rapides Tigers, Co. E, 16th La. Inf.
Rawson Guards, La. Mil., as Co. C, St. Charles Regt. and
Chasseurs a pied Regt., Ind.
Red River Rangers, Attached to 15th Battn., La. Cav.
Red River Rebels, Co. B, 1st La. Inf.
Red River Scouts, Battn., La. Cav.
Red River Sharpshooters, Battn. Steamboat Men La. Vols.
Red Stick Rebels, La. Mil. Capt. Hy. R. Graham, Ind.
Reichard Rifles, Co. C, 20th La. Inf., also Reichards Battn.
Reinhardt Guards, La. Mil., served as Co. E, Beauregard
Regt.
Rescue Rangers, La. Vol., Lt. Etienne Velten, Ind.
Reserve Cazadores, Co. 5, 5th Regt. European Brig., La. Mil.,
Vol., La. Legion.
Rescue Guards, Co. B, Leeds Guards Regt., La. Mil. Vols., also
Co. C.
Reichard's Battn. Inf., also called 6th and Lovell Battn., and
Orleans Rifle Battn.
Richard Musketeers, La. Vols., Capt. C. de la Bretonne, Ind.

- Rifle Blues, La. Mil., in 13th Regt, 2nd Brig, 1st Div.
 Robert's Absalon, C Co., La. Mil., Jeff Davis Rangers, also
 Jeff Davis Light Horse.
 Robina Greys, Co. B, 19th La. Inf.
 Rosalie Guard, Co. I, 11th La. Infy.
 Rough & Ready Guards, La. Mil., Capt. E. W. Blake, Ind.
 Rouquillo Guards, La. Mil. in 13th Regt. 2nd Brig. 1st Div.
 La. Mil.
 Rousseau Guards, La. Mil., Capt. Jas. R. Curell, Ind.
 Robinson's Co. Horse Arty., 1st Regt. La. Cav, formerly
 Holmes Howitzer Batty.
 Robert Brown Guards, La. Mil., Co. D, Lewis Battn., Regt.
 La. Mil.
 Ruggles Guards, Co. G, Cres. Regt., La. Inf. 24th Regt., La.
 Inf.
 Sabine Rifles, Capt. McArthurs Co., Co. A, 6th Regt. La. Inf.
 Sabine Rebels, Co. B, 17th La. Inf.
 Sabine Independents, Co. in Sumpter Regt., La. Mil.
 Sabine Independents, La. Mil., Co. I, Jeff Davis Battn. and
 Regt. La. Mil. Vol.
 Saddler's Guards, La. Mil., Capt. Mooney's Co.
 Slavonian Rifles, 1st Co., Co. E, Cazadores Esp. Regt., La.
 Mil.
 Slavonian Rifles, 2nd Co. La. Mil., Cazadores Esp. Regt., La.
 Mil.
 Sarfield Rifle Guards, La. Mil., Capt. Jas. O'Hara.
 Sandy Creek Rangers, La. Mil., served in 1st Battn., La.
 Grds. and in E. Baton Rouge Regt.
 Sappers and Miners, Co. H, 27th La. Infy.
 Sanitary Regiment (Louisiana).
 Sarsfield Rangers, Co. B, La. Mil., Capt. P. Murray, Ind.
 Sarsfield Rangers, Co. C, 7th La. Infy.
 Sarsfield Southrons, Co. —, La.
 Savany Guards, Co. 1st Regt., Native Grds., La. Militia.
 Scandinavian Guards, Co. A, Chalmette Regt., La. Infy.
 Scott Guards, La. Mil., Capt. Thos. J. Hightower, Ind. Co.
 Scotch Rifle Guards, Co. H, 21st La. Infy.
 Scotch Rifle Guards, Co. C, afterwards 22nd La. Infy.
 Scotch Rifles, Scotch Rifle Guards.
 Screwmen's Guard, Co. A, 22nd La. Infy.
 Screwmen's Guards, Co. B, 22nd La. Infy.

Screwmen's Guard, also called Moore Fencibles, Co. A, 9th La. Infy.

Second Battery, La. Hvy. Arty., Capt. Geo. Logan.

Sedentaire Battery, Capt. Jules Benit's Co., La. Arty.

Sappers and Miners, Sureg's Co., La. Militia.

Shamrock Guards, Co. —, 4th Regt., French Brig., La. Mil.

Vol.

Sharpshooters La. Legion, La. Mil., Capt. Jos. Christian, Ind.

Shelley Battalion, 11th Battn., La. Infy.

Shepherd Guard, Co. 10th La. Infy.

Shreveport Greys, Co. D, 1st Battn., La. Infy., 1st La. Regt.

Infy.

Shreveport Rangers, Co. F, 3rd La. Infy.

Shreveport Rebels, Co. K, 11th La. Infy.

Shreveport Rifles, 1st La. Infy.

Siege Battery, Capt. E. T. King's Co., La. Arty.

Simmons Stars, Co. C, 17th La. Infy.

Skipwith Guards, Co. A, 27th La. Infy.

Slavonian Rifles, Co. —, Infy. Battn., La. Legion, La. Vols.

Slocomb Rifles, Co. C, 1st La. Vols., Infy.

Shamrock Guards, Co. B, La. Militia, Co. F, La. Irish Regt.,

La. Militia.

Smith Artillery, Capt. John Roy's Co., La. Arty.

Southern Cadets, La. Mil., Capt. F. Cornish, Ind.

Southern Celts, Co. A, 13th La. Infy.

Southern Guards, Co. A, 6th La. Regt., Infy., Vol.

Southern Guards of Union Parish, La. Mil., Ind.

Southern Guards of Rapides Parish, La. Mil., Ind.

Southern Protection Guards, La. Mil., Capt. Wm. Lampton.

Southern Rifles La. Militia, Capt. J. A. Jacques, Ind.

Southern Sentinels, Co. I, afterwards Co. H, 12th La. Infy.

also company in Bragg's Battn., La. Mil., also Continental Regt.

La. Militia, Vols.

Spanish Teradors, Co. —, Infy. Battn. La. Legion, La. Vols.

Spanish Independents, La. Militia in 9th Regt., 1st Brig. La.

Mil.

Sparrow Cadets, Co. I, 31st La. Infy.

Sparta Guards, Co. E, 27th La. Infy.

Sparta Cavalry, La. Mil., Capt. D. H. Sheppard, Ind.

Special Battn., La. Vols., also called 1st Spec. Battn., La. Vols., (Wheat's).

Spearsville Co., La. Mil., served in Union Regt. La. Militia.
 Spencer Rifles, Co. H, 27th La. Infty.
 Squires Siege Train, Capt. M. T. Squires, Ind.
 St. Bernard Mounted Rifles, Capt. Jules Delery's Indep. Co.,
 also called St. Bernard Horse Rifles.

St. Ceran Rifles, Co. D, 15th Regt., La. Infty., Vols.
 St. Helena Rebels, Co. F, 16th La. Infty.
 St. Helena Rebels, Co. F, 4th La. Infty.
 St. Helena Rebels, Co. F, 15th La. Infty.
 St. James Guards, Lecoul's Co., 30th La. Infty.
 St. James Rifles, Co. A, 18th La. Infty.
 St. John Baptist Guards Co., in Sumpter Regt., La. Militia.
 St. Landry Light Guard, Co. C, 6th La. Infty.
 St. Landry's Grays, La. Mil., served in St. Landry Regt.
 St. Landry Volunteers, Co. B, 18th La. Infty.
 St. Landry Home Guards, La. Militia, served in St. Landry
 Regt.

St. Martin's Rangers, Capt. E. W. Fuller's Co., King's Battery, La. Vols.

St. Martin's Parish Rangers, Co. G, 10th Battn., La. Infty.
 St. Mary's Cannoneers, Capt. E. O. Cornay's Co., La. Arty.
 form Co. F, 4th La. Infty., 1st Field Battery Gordys and Cornays.
 St. Mary Volunteers, Co. G, 13th La. Inf.
 St. Paul Battn. Foot Rifles, 7th Battn., La. Inf.
 St. Charles Foot Rifles, in Chasseurs a Pied Regt.
 St. Charles Light Arty., La. Mil., Capt. Chas. Davenport, Ind.
 St. Charles Mtd. Minute Men, La. Mil. in St. Chas. Regt.
 St. Charles Horse Guards, La. Mil., Capt. Samuel McCutcheon.

St. John Baptist Rifles, also Carbiners of St. I., La. Mil.
 St. John Baptiste Guards, La. Mil., Capt. N. Loque, Ind.
 St. John Baptiste Native Guards, La. Mil., Capt. J. R. Forstall.

St. Landry Partisan Rangers, La. Mil., served in St. Landry Regt.

St. Martinville Rangers, La. Mil., Capt. A. De Blanc, Ind.
 St. Mary Greys, La. Mil., Capt. J. Baker, Ind.
 St. Tammany Arty., La. Mil., Capt. J. A. Turner, Ind.
 St. Tammany Greys, La. Mil., Capt. C. Crosby, Ind.
 St. John Baptist Reserve Guards, La. Mil.

Stafford Guards, also called Screwman Guards, Co. B, 9th La. Inf.

Stanley Guards, Cos. A, H, 20th La. Inf.

Stanley Guards, Co. B, La. Mil., Co. in Pt. Coupee Regt., La.

Mil.

Stars of Equality, Co. E, 19th La. Inft.

Star Guards, La. Mil., Capt. Saml. C. Scott, Ind.

State Guard Battery, Capt. D. E. Grove, Ind.

Smith Guards, La. Mil., Capt. T. O. Laughlin, Ind.

Stephen Guards, La. Mil., Co. A, La. Irish Regt., La. Mil.

Stephen Guards, Co. G, 30th Regt., La. Inf.

Stephen Guards, Co. A, 20th La. Inf., also Reichards Battn.

Stewarts Legion, 9-17 Battn., Co. A, 9th Battn.

Stuart Cavalry, 2nd Co. Cav. Battn., Miles Legion, La. Vols.

Sully Knights, La. Mil., Capt. D. W. Magill, Ind.

Summer Grove Cav., La. Mil., in Caddo Regt., 3rd Regt., 2nd

Brig., Ind.

Sumpter Regt. Cres. Cadets, Co. I, Sumpter Regt., La. Mil.

Sumter Greys, Co. A, also Ind. Co., Capt. D. Maypay.

Sumter Greys, Co. A, 30th La. Inf., Co. D, Sumpter Regt.

Sumter Greys, Co. B, 30th La. Inf., Co. E, Sumter Regt.

Sumter Greys, Co. B, 30th La. Inf., Co. E, Sumpter Regt.

Sumter Greys, Co. B, also Ind. Co., Capt. Hy. J. Beebe.

Sumter Guards, Co. D, 8th La. Infty.

Sumpter Guards, Co. K, 24th La. Regt., Crescent Regt.

Sumter Rebels, Co. I, Crescent Legion, Regt. La. Infty.

Sumpter Rifles, Continental Regt., La. Mil., Vols., also 3 Co.

I, Crescent Regt.

Sumter Regiment, 30th La. Infty.

Sumpter Regiment, La. Militia, Organized Dec. 17, 1861.

Sumpter Turner Guards, Co. C, Beauregard Regt., also Continental Regt., La. Mil., Vols., also Lewis Battn.

Swiss Guards, attached to 3rd Regt. European Brig., La. Militia.

Taylor Guards, Co. E, Kings Special Battn., La. Infty.

Taylor Guards, Capt. T. C. Calvitts, Co. D, Miles Legion.

Teche Guards, La. Mil., (St. Mary Regt.), Capt. Wm. F. Harleigh, Ind.

Tensas Rangers, also known as Tensas Cavalry attached to 15th Battn., La. Cavalry and Harrison's 3rd Regt., La. Cavalry.

Tensas Rifles, Co. D, 6th La. Infty.

- Terrebonne Regiment, La. Mil.
 Terrebonne Rifles, La. Militia, Capt. V. H. Rightor, Ind.
 Third District Fire Rangers, La. Mil., Co. B, Orleans Fire
 Battn., La. Mil.
 Thibodaux's Co., Lafourche Regt., La. Militia, Ind.
 Thibodaux Reserves, La. Mil., Capt. V. Richard, Ind.
 Thomas' Battn., La. Infy., merged into 30th Regt.
 Thomas' Guards, La. Militia, Capt. V. Cormier, Ind.
 Tiger Bayou Rifles, temporarily attached to 1st La. Infy.,
 properly served as Co. I, 13th, afterwards 14th La. Infy.
 Tickfaw Home Guards, La. Militia, Capt. H. H. Swassy, Ind.
 Tiger Rifles, See Tiger Bayou Rifles.
 Tiger Battallion, Wheat's Battn., La. Infy.
 Tiger Rifles, Co. E, or Co. B, Wheat's Spec. Battn., La. Infy.
 Tiger Rifles, Co. B, La. Mil., Capt. E. Eastman, Ind.
 Tirailleur's D'Orleans, Co. I, 10th La. Infy., Co. K, Orleans
 Grds. Battn. Regt., afterwards Co. B, 22nd La. Infy.
 Tiradoes Espanoles, Co. Cazadores Espanoles Regt., La. Mil.
 Tirailleurs, Francais, Co. —, Infy. Battn., La. Legion, also
 Ind. Co.
 Tracy Guards, La. Mil., Capt. J. S. Lallande, Ind.
 Trevot Guards, La. Mil., Capt. Jos. A. Gagne, Ind.
 Todd's Independent Co., La. Cavalry, Prairie Rangers, La.
 Mil.
 Traillieurs of St. James, Co. K, 30th Regt., La. Inf.
 Titterton's Guards, Oteros Co., Orleans Battn., Regt. La. Mil.
 Tunica Co., Attached to West Feliciana Regt., La. Mil.
 Tunica Guards, La. Mil., also called Tunica Vols. and Bayou
 Tunica Grds.
 Tunica Guards, Co. D, 20th La. Inf., also Reichards Battn.
 Turcos Native Guards, Co. 1st Regt., Native Grds., La. Mil.
 Twelfth Battn., Heavy Arty., B. F. De Gournay, Maj.
 Twiggs Guards, Co. E, Cres. Regt., La. Inf., 24th Regt. La.
 Inf.
 Twiggs Lt. Guards, Capt. F. A. Rasch, Ind.
 Twiggs Rifles, Co. A, Co. G, 23rd La. Inf.
 Twiggs Rifles, Co. B, Co. H, 23rd La. Inf.
 Twiggs Rifles, Capt. B. Griffin's, Co. Local Defense Troops,
 La.
 Union Rebels, La. Mil., Capt. S. H. Griffin, Ind.
 Union Rifles, Co. C, 3rd La. Inf.

- Union & Sabine Rifles, Co. A, 6th La. Inf.
United Guards, also called United Rifles, La. Mil., Capt. F. T. Nicholls, Ind.
Valcourt Aime Guards, Co. A, after D, 30th La. Inf.
Valentine Lt. Guards, 2nd Co. K, 20th La. Inf. (Disbanded.)
Vance Guards, Co. A, 19th La. Inf.
Ventress Lige Guards, Capt. Jos. Goldman's Co., Local Defense Troops La., 20th La. Inf.
Ventress Protectors, La. Mil., Capt. Cedroski, Ind.
Vernon Guards, Co. E, 2nd La. Inf.
Vetran Francais, 5th Co., 6th Regt., European Brig., La. Mil. Vol.
Vermilion Guards, La. Mil., Capt. L. Cedrowski, Ind.
Vermilion Troops, La. Mil., Capt. D. O'Bryan, Ind.
Vidette Guards, La. Mil., Capt. D. H. Dyar, Ind.
Vienna Rifles, Co. C, 2nd La. Inf.
Vigilant Fire Guards, La. Mil., Co. I, Orleans Fire Battn., Regt. La. Mil.
Violet Guards, Co. K, 6th La. Inf.
Virginia Blues, Co. L, 7th La. Inf.
Virginia Guards, Co. D, 7th La. Inf.
Volunteer Co., La. Mil., Assumption Parish, Capt. P. C. Kyle, Ind.
Volunteer Guards, La. Mil., Co. E, Fire Battn. and Regt. La. Militia.
Voltigeurs D'Orleans, 1st Co. Jackson's Infty. Battn., La. Mil., Vols.
Voorhies Guards, Co. H, Miles Legion.
Voltigues de Lafayette, 7th Co., 1st Regt., French Brig., La. Mil. (French Legion.)
Walker Guards, Co. A, Wheat's Spec. Battn., La. Infty.
Walker Roughs, Co. D, 16th La. Infty., sometimes called "Spartans."
Wallace Guards, La. Militia, Co. —, Beauregard Battn., Capt. Wm. J. Locke, Ind.
Washington Artillery, La. Artillery Battn.
Washington Cadets, Co. —, Algiers Battn., La. Mil., called Terry Battn.
Washington Battn., St. Paul's Foot Rifles, La. Vols.
Washington Cavalry, St. Landry, La. Mil., Capt. Jno. Reid, Ind.

- Washington Guards, Co. H, Cres. Regt., La. Infty.
 Washington Lt. Guards, La. Mil., Capt. Towell, Ind.
 Washington Light Infantry, Co. E, 21st, afterwards 22nd La. Infty.
 Washington Jackson Guards, La. Mil., Co. F, Fire Battn. and Regt., La. Militia.
 Washington Rifles, Co. I, 9th La. Infty.
 Washington Rifles, La. Militia, Capt. Duquecron, Ind.
 Waterman Guards, Continental Regt.
 Watson's Battery, Capt. D, Beltzhoover's Co., La. Arty.
 Weatherly Battn., La. Infty.
 Webb's Co., La. Cavalry, served as Co. E, 18th Tenn. Cav.
 Webb's (formerly Wimberly's Squadron, La. Cav., also called 1st Squadron, La. Cavalry.)
 West Baton Rouge Tirailleurs, Co. H, 4th La. Infty.
 West Baton Rouge Cadets, Co. D, West Baton Rouge, Regt.
 West Feliciana Guards, La. Mil. Capt. Wm. H. Barrow, Ind.
 West Feliciana Home Scouts, Capt. Dan R. Gorham's Independent Co., La. Vols.
 West Feliciana Rifles, Co. E, 4th La. Infty.
 Westbrook Guards, Co. E, 11th La. Infty.
 Wheat Life Guards, Co. E, Wheat's Spec. Battn., La. Infty.
 White Battery, La. Militia, Capt. Alex. White, Ind.
 Wild Cat Cavalry, also called Mtd. Wild Cats, Capt. O. P. Miller's Co., La. Cav.
 Willow Bayou Rifles, La. Militia, Capt. E. L. Heriot, Ind.
 Wilson Rangers, Capt. W. H. Berthelot's Co., La. Vols.
 William Goodrich Guards, La. Mil., Co. C., Lewis Battn. and Regt., La. Militia.
 Wimberly's Squadron, La. Cav., also called 1st Squadron, La. Cav., Webb's Squadron.
 Winn Rebels, Co. F, 27th La. Infty.
 Winn Reserves, La. Vols., Co. A, 1st Battn., Infty., Terrells.
 Winn Rifles, Co. C, 3rd La. Infty., (Sometimes Guards.)
 Winn Rifles, La. Militia, Winn Regt., Capt. Wm. B. Stovall, Ind.
 Wing's Co., Co. —, Kennedy's 21st La. Regt., Infty.
 Wood Rangers, La. Mil., Capt. Wm. H. Waters, Ind.
 Wood's Co., Cavalry La. Militia, Capt. Thos. A. Woods Ind.
 Yellow Jacket Battn., 10th Battn., La. Partisan Rangers, consolidated with 18th La. Infty.

Yankee Pelters, La. Mil., Capt. or 1st Battn., La. Infy., Co.
B, L. C. Calloway, Capt., Ind.
Young Greys, Capt. Terrell's La. Vols.
Young Creole Native Guards, Co. in 1st Regt., Native Grds.,
La. Mil.
Zouave Battn., La. Vols.
Zouaves and Chasseurs Battn., La. Vols.

INDEX TO BATTLES, CAMPAIGNS, ENGAGEMENTS, ETC.,
FOUGHT WITHIN THE LIMITS OF THE STATE OF
LOUISIANA, 1861-1865.

Alphabetically Arranged.

Alabama Bayou, Sept. 20, 1864.
Alexander's Creek, Oct. 5, 1864.
Alexandria, May 6, 1863; April 26, May 13, 1864.
Amite River, June 27-29, July 24, 1862; April 12-17, Sept.
24-29, 1863; July 25, Oct. 2-8, Dec. 12, 1864; March 18-26-29,
1865.
Amite River and Jackson Railroad, March 21-29, May 9-18,
1863.
Ashton, May 1, 1864.
Ashwood Landing, May 1-4, 1864.
Atchafalaya, July 21, Oct. 5, 1864.
Atchafalaya and Bayou Plaquemine, Feb. 12-28, 1863.
Atchafalaya River, Feb. 10-14, June 4, Sept. 8-9-20, 1863;
May 30, June 5, Aug. 25, Sept. 17, Dec. 16-19, 1864.
Avoyelles Prairie, May 15, 1864.
Barres Landing, April 21, May 21-26, Oct. 21-22, 1863.
Baton Rouge, La., Jan. 10, 1861, June 7-9, July 27, Aug. 5-20-
21, Dec. 17-28, 1862; May 12-13, 1863; Sept. 19, 1863; March 3-8,
April 15, May 3, July 3-25-29- 1864; May 8-22, 1865.
Bayou Goula, June 19, 1863; Jan. 24, Feb. 14-18, March 23-24,
April 21-22, May 9, 1865.
Bayou Sara, Aug. 10-23, 1862; Nov. 9, 1863; Sept. 6-7, Oct.
3-6, 1864.
Bayou Sara Road, May 18-19, 1863.
Bayou Tunica, Nov. 8, 1863.
Beauregard Fort, May 10, Sept. 4, 1863.

- Belle Prairie, May 16, 1864.
Belle River, Oct. 22-24, 1864.
Benton's Ferry, July 25, 1864.
Berwick, May 21-26, June 1-1863; April 26, May 1, 1864.
Berwick Bay (Steamer), Feb. 3, 1863.
Berwick Bay, Nov. 1-6, 1862; June 23, 1863.
Bethel Place, April 12, 13, 1863.
Bisland Fort, April 12, 13, 1863; April 12, 1864.
Black Bayou, March 19, 1864; May 4, 1865.
Black River, Feb. 10-14, May 5, 1863.
Blair's Landing, April 12-13, 1864.
Boeuf Bayou, April 22-29-30, 1863; May 7, 1864.
Boeuf Bayou Crossing, June 24, 1863.
Bonfuca Bayou, Nov. 21, 1862; Jan. 31, Feb. 1, 1865.
Bonnet Carre, Oct. 19, 1862.
Borgne, Lake, Nov. 22, 1863.
Bourbeau Bayou, Nov. 2-3, 1865.
Boutte Station, Sept. 5, 1862.
Boyce's Bridge, May 14, 1863.
Boyce's Plantation, May 6, 1864.
Brashear City, June 21-23, July 22, 1863; Feb. 3-6, 1864;
April 30, May 12, 1865.
Breux Bridge, April 17-21, 1863.
Brown's Plantation, May 11, 1865.
Bruin Lake, (See Choctaw Bayou).
Bullitt's Bayou, Aug. 24, Sept. 14, 1864.
Butte-a-la-Rose, April 20, 1863.
Buzzard's Prairie, Nov. 2-3, 1863.
Calcasieu Pass, May 6-10, 1864.
Caledonia, May 10, 1864.
Campti, Mar. 26, April 4, 1864.
Cane River, April 26-27, 1864.
Cane River Crossing, April 23, 1864.
Carrion Crow Bayou, Oct. 14-15-18, Nov. 3-11-18, 1863.
Centerville, April 12-13, May 25, 1863.
Chacahoula, May 3, 1865.
Chacahoula Station, June 24, 1863.
Chemise Bayou, March 24, 1865.
Cheneyville, May 18-20, 1863.
Chicotville, April 29-30, 1863.
Choctaw Bayou, April 28, 1863.

- Clark's Bayou, April 26, 1863.
Clinton, June 3-8, 1863; May 11, July 17-18, Aug. 23-29, Oct. 5-9, Nov. 15, Dec. 23-24, 1864; March 30-1-12, April 2, 1865.
Clinton Roads, May 14, 1863.
Cloutierville, March 29-30, April 22-24, 1864.
Columbia, Feb. 4, 1864.
Comite River, Mar. 9-10, May 2, 1863; Aug. 25, 1864; Mar. 30, April 2, 1865.
Como Landing, June 15-16, 1864.
Concordia, July 22, 1864.
Concordia Bayou, Aug. 5, 1864.
Cotile Landing, April 25, 1864.
Courtableau Bayou, May 22, 1863.
Covington, July 27, 1862.
Cox's Plantation, July 12-13, 1863.
Cross Bayou, July 4, 1864.
Crump's Hill, April 2, 1864.
Cypress Creek, March 8, 1864.
Dallas Station, Dec. 25-26, 1862.
David's Ferry, May 1-4-5, 1862.
Davis' Bend, June 29, 1864.
Davison's Ford, July 17-18, 1864.
De Glaize Bayou, May 17-18, 1864.
De Large Bayou, May 25-27, 1865.
Delhi, Dec. 25-26, 1862.
Deloach's Bluff, April 26, 1864.
De Paul Bayou, April 8, 1864.
De Russy, Fort, April 23-25, May 4, 1863; March 14, 1864.
Des Allemands, July 18, 1863.
Des Allemands Bayou, June 20-22, Sept. 4, 1862.
Desert Station, Dec. 10, 1862.
Donaldsonville, Aug. 9, Sept. 21-25, Oct. 25, 1862; June 28, Sept. 23, 1863; Feb. 8, July 31, Sept. 4, 1864; Jan. 19-20, 1865.
Doyal's Plantation, Aug. 5, Nov. 29, 1863.
Dunbar's Plantation, April 7-15, 1863.
Dunn's Bayou, May 5, 1864.
Eastern Louisiana, Oct. 2-11, 1864.
False River, March 19, 1863.
Fausse Pointe Lake, Sept. 7-11, Nov. 18, 1864.
Fausse River, Sept. 13-17, 1864; Feb. 7-10, 1865.
Floyd, Aug. 24, 1863.

- Fordoche Bayou Road, May 29, 1864.
Franklinton, Feb. 1-3, 1864.
French Settlement, April 2-5, 1865.
Gentilly's Plantation, Sept. 1, 1864.
Georgia Landing, Oct. 27, 1862.
Gillespie's Plantation, Aug. 4-6, 1864.
Goodrich's Landing, June 30, 1863; Mar. 24, Aug. 23-31, 1861.
Governor Moore's Plantation, May 1-4, 1864.
Graham's Plantation, May 5, 1864.
Grand Bayou, Feb. 14-18, April 2-10, 1865.
Grand Caillou, April 19-25, 1865.
Grand Caillou Bayou, May 8, 1862; Nov. 19-27, 1864.
Grand Coteau, Oct. 16-19, 1863.
Grand Ecore, April 3-10-11-16-29, 1864.
Grand Lake, Sept. 7-11, 1864.
Grand River, Aug. —, Sept. 7-11, 26-30, 1864; Jan. 18-19-29, Feb. 7, 1865.
Greensburg, May 1, 1863; Oct. 5-9, 1864.
Greenwell Springs Road, Sept. 19, Oct. 5, 1863.
Grossetete, Feb. 19, 1864.
Grossetete Bayou, April 2, June 19, 1864; Feb. 7-10, 1865.
Hard Times Landing, April 25-29, 1863.
Harrisonburg, Sept. 1-7, Sept. 4, 1863; Mar. 1-4, 1864.
Henderson's Hill, March 21, 1864.
Hermitage, The, April 2-5, 1865.
Hermitage Landing, March 24, 1863.
Hermitage Plantation, Dec. 14, 1864; Jan. 5, 1865.
Highland Stockade, July 29, 1864.
Hodge's Plantation, Sept. 11, 1864.
Hog Point, Mississippi River, Nov. 18-21, 1863.
Houma, May 11-18, 1862.
Independence Station, May 15, 1863.
Indian Bayou, Nov. 9, 1863.
Indian Bend, April 13, 1863; March 25-27, 1865.
Capture of the Indianola, Feb. 24, 1863.
Indian Village, Jan. 28, 1863; Aug. 6, 1864.
Irish Bend, April 14, 1863.
Jackson, Aug. 3, 1863; Mar. 3, Oct. 5, 1864; Mar. 1-12, April 12-13, 1865.
Jackson Fort, Jan. 10, 1861; April 18-28, 1862; Dec. 9, 1863.
Jackson Railroad, May 9-18, 1863.

- James Plantation, April 6-8, 1863.
Jeanerette, April 14, 1863.
Kittredge's Sugar House, Feb. 10, 1865.
Labadeville, Oct. 27, 1862; Sept. 8, 1864.
Lafourche, July 12-13, 1863.
Lafourche Crossing, June 10-21, 1863.
La Fourche District, Oct. 24, Nov. 6, 1862.
Lake Providence, May 24, June 28, 1863; May 27, June 9-24, 1863 (?).
Lake Saint Joseph, April 24, June 4, 1863.
Lamourie Bayou, May 6-7-12, 1864.
Lecompte, May 12, 1864.
Liddell Bayou, Oct. 15, 1864.
Livingston Fort, April 27, 1862.
Livonia, May 31, 1864.
McNutt's Hill, April 26, 1864.
Macomb Fort, Jan. 28, 1861.
Macon Bayou, May 10, Aug. 24, Sept. 27-29, 1863; Aug. 28-31, Nov. 6-8, 1864.
McWilliams Plantation, April 13, 1863.
Madisonville, July 27, 1862; Feb. 11, 1864.
Magnolia Landing, June 15-16, 1864.
Manchac Bayou, Oct. 2-8, 1864.
Mandeville, Jan. 15-17, 1835.
Mansfield, April 8, 1864.
Mansura, May 16, 1864.
Maringouin Bayou, Sept. 13-16, 1864.
Marksville Prairie, March 15, May 15, 1864.
Martin's Land, Feb. 15, 1865.
Merritt's Plantation, May 14-18-19, 1863.
Milliken's Bend, Aug. 18, 1862; June 7-25, 1863.
Monett's Ferry, March 29-30, April 23, 1864.
Monroe, Aug. 20, Sept. 2, 1863.
Moore, Camp, Oct. 5-9, 1864.
Moreauville, May 17, 1864.
Morgan's Ferry Road, July 28, 1864.
Morgan's Ferry, Sept. 7-20, 1863; Aug. 25, Sept. 20, Dec. 13-14, 1864.
Morganza, Sept. 12, 1863; May 24, June 4 (or May 30), July 28, Aug. 10-12, Sept. 16-25, Oct. 16, Nov. 23, Dec. 4-14, 1864; Jan. 5-12-15, 1865.

- Morganza Bend, March 12, 1865.
Mound Plantation, May 24, June 24-29, 1863.
Mount Pleasant Landing, May 15, 1864.
Napoleonville, May 6, July 29, 1864; Feb. 10, 1865.
Natchez Bayou, Aug. 30, Sept. 2, 1864.
Natchitoches, March 31, April 5-20-21, May 5, 1864.
Nelson's Bridge, Oct. 4, 1863.
New Carthage, March 31, April 17, 1863.
New Iberia, April 18, Oct. 4, 1863.
New Orleans, Feb. 19, 1861; April 18, May 1, 1862.
New Orleans and Jackson Railroad, May 11, 1863.
Newport Crossroads, June 17, 1864.
New River, Sept. 24-29, 1863; Feb. 9, Oct. 2-8, 1864.
New Roads, Jan. 31, 1865.
Newton, April 16, 1863.
Niblett's Bluff, May 26-29, 1863.
Northeastern Louisiana, Jan. 26, Feb. 11, 1865.
Old Oaks, May 17-18, 1864.
Old River, Feb. 10, 1863.
Olive Branch, Aug. 5-25, 1864.
Olive Branch Bayou, May 3, 1864.
Opelousas, April 17-21, Oct. 20-21-30, Nov. 1-17, 1863.
Orange Grove, July 31, 1864.
Osyka, Oct. 5-9, 1864.
Ouachita River, March 1-4, 1864.
Oyster Bayou, March 25-28, 1865.
Park, The, Jan. 26, Feb. 4-17-22, April 2-10, 1865.
Pass Manchac, June 17, July 25, Aug. 2, Sept. 13-15, 1862;
Feb. 8-11, 1863.
Pattersonville, April 11, 1863; Aug. 2, 1864.
Pearl River, July 25, Aug. 2, 1862; Sept. 9-12, 1864.
Pearl River Expedition, April 1-10, 1864.
Pelton's Plantation, April 19-25, 1865.
Pest-House, May 28, 1864.
Petite Anse Island, Nov. 21-22, 1862.
Phelps Bayou, April 26, 1863.
Pierre Bayou, May 2-3, 1864.
Pigeon Bayou, Sept. 7-11-26-30, 1864; March 20-22, 1865.
Pike Fort, Jan. 14, 1861; April 27, 1862.
Pineville, April 24, 1864.
Pin Hook, May 10, 1865.

- Plain's Store Road, May 21-23, 1863.
Planton Bayou, Jan. 30-31, 1865.
Plaquemine, Dec. 29-31, 1862; Jan. 3, April 18, June 18, 1863;
August 6, 1864.
Plaquemine Bayou, Feb. 12-28, April 22-23, 1863.
Pleasant Grove, April 8, 1864.
Pleasant Hill, April 7-9, 1864.
Pleasant Hill Landing, April 12-13, 1864.
Point Pleasant, June 25, 1864.
Ponchatoula, July 5-8, Sept. 13-15, 1862; March 21-30, May
13, 1863.
Pontchatrain, July 25, Aug. 2, 1862; Sept. 13, Oct. 2, 1863.
Portage Bayou, Nov. 23, 1863; Nov. 17-19, 1864.
Porter's Plantation, April 13, 1863.
Port Hudson, Aug. 15-19, Sept. 7, 1862; March 14-15-17, May
21, July 8, Nov. 30, 1863; April 7, May 28, Aug. 29, 1864.
Pratt Camp, Nov. 20-25, 1863.
Quitman Fort, April 27, 1862.
Raccourci, Nov. 25, 1864.
Rapides Bayou, March 20, 1864.
Rapides Bayou Bridge, April 26, 1864.
Ratliff's Landing, June 15, 1864.
Ratliff's Plantation, May 14-16, 1865.
Red River, Feb. 10-14, Oct. 1-20, 1863; April 26-27, 1864.
Red River Campaign, March 10, May 22, 1864.
Redwood Bayou, May 3, 1864.
Richland Plantation, Jan. 30, 1865.
Richmond, Jan. 29, Mar. 31, April 4, June 6-15-20, 1863.
Robert Bayou, May 8, 1864.
Roberts' Ford, May 2, 1863.
Rosedale, Feb. 19, 1863; Sept. 15, 1864.
Sabine Cross Roads, April 8, 1864.
Saint Charles Court House, Aug. 29, Sept. 7-8, 1862; Oct. 5,
1864.
Saint Francisville, Oct. 5, 1864.
Saint Joseph, Oct. 8, 1864.
Saint Martinsville, Nov. 12, Dec. 3, 1863.
Saint Philip, Fort, Jan. 10, 1861; April 18-28, 1862.
Saint Vincent Bayou, May 24, 1865.
Saline Bayou, April 14, 1864.